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THE
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BANNATYNE MISCELLANY;

CONTAINING

ORIGINAL PAPERS AND TRACTS,

CHIEFLY RELATING TO THE

HISTORY AND LITERATURE
OF SCOTLAND.

VOLUME III.



PRINTED AT EDINBURGH:
M.DCCC.LV.

44

At a Meeting of the Committee of Management of the BANNATYNE CLUB,
held at Edinburgh, in the House of the PRESIDENT, on the 4th day of
July 1823,

RESOLVED, That a Work, to be entitled THE BANNATYNE MISCELLANY,
containing a COLLECTION of TRACTS AND ORIGINAL PAPERS, RELATIVE TO THE
HISTORY, LITERATURE, AND ANTIQUITIES OF SCOTLAND, be printed in suc-
cessive parts or numbers, under the joint superintendence of the PRESIDENT
and SECRETARY ; and that Members be invited to communicate such
Original papers and documents in their possession, as may appear to be
peculiarly suited to this Work.

At a Meeting of the Committee of Management of the BANNATYNE CLUB,
held in the Antiquarian Society's Hall, on Monday the 25th of June
1855,

THE SECRETARY stated to the Meeting that Volume Third of THE BAN-
NATYNE MISCELLANY, completing the Work, and of which the printing had
been commenced several years ago, was now sufficiently advanced to be
brought to a termination ; and he proposed to reserve for a separate Volume
of ADVERSARIA, the Lists of Members, and the Catalogue of Books printed
since the Institution of the Club.

390753

The COMMITTEE approved of this propofal, and authorized the Secretary to complete the Volume of MISCELLANY for circulation among the Members; with power to prefent Copies to fuch Libraries or private Individuals as may poffefs the former Volumes, although not Members of the Club.

Extracted from the Minutes of the Club.

DAVID LAING, *Secretary.*

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**TWO ANCIENT RECORDS
OF THE BISHOPRIC OF CAITHNESS**

from the Charter-room at Dunrobin.

VOL. III.

A

TWO ANCIENT RECORDS OF THE BISHOPRIC OF CAITHNESS,
FROM THE CHARTER-ROOM AT DUNROBIN.

WHEN the Bishopric of Caithness was founded, whether by Alexander I. or by his brother King David, the Scotch monarch exercised but a partial and uncertain sway over the territory of the new northern diocese. The peninsula beyond the Moray Frith was for long afterwards in the hands of the Norsemen, who acknowledged their allegiance to the Kings of Scotland only when it suited them to resist the more distant authority of the crown of Norway, or when divisions among themselves rendered it impossible to assert an absolute independence.

The Dalesmen of Caithness and Sutherland, however, unlike their island neighbours, drew their ecclesiastical institutions from Scotland;¹ and this must have been one means of preserving the connexion between them and

¹ The legendary history of the Church in Caithness, pointing to a time before the Northmen had any footing there, connects it still more with the missionaries of Ireland and Scotland.

The legend of St Fimbar, or St Barr, the bishop, "*qui in Cathania magno cum honore habetur*," (Brev. Aberdon. mense Septemb., fol. cxv.) is plainly identical with that of St Finbar, first Bishop of Cork, who has been rudely transplanted to Scotch ground, with all his miracles and renown—marking, perhaps, the early settlement of some Irish colonists, bringing with them the veneration they had rendered in their old country to the patron saint of their tribe or province.

Saint Duthac was connected with Caithness. He is said to have wrought a miracle at

Scotland proper, when the authority of the Crown was little felt so far. David I., early in his reign, addressed a letter to Rognvald Earl of Orkney, and to the Earl (he does not name him) of Caithness, and to all good men of Caithness and of the Orkneys, praying that, for love of him, they would favour the monks who dwelt at Dornoch in Caithness, and protect them wherever they came within their bounds, and not permit any to do them injury or shame.¹

The Abbey of Scone was from an early period peculiarly connected with Caithness and Sutherland. Harald, styling himself Earl of Orkney, granted a mark of silver yearly to the canons of Scone, for the weal of the souls of him and his wife, and for the souls of his predecessors.² In the reign of Alexander II., when the King's writ was of some potency, the abbot of Scone obtained a royal precept to the sheriffs and bailies of Moray

Dornoch, on the festival of St Fimbar, to whom, perhaps, that cathedral was of old dedicated.—(Brev. Aberdon. mense Marc., fol. lrv.)

Saint Fergus, bishop and confessor, is likewise numbered among the missionaries who preached the faith in Caithness. He was consecrated to the episcopal office in Ireland, from whence, sailing with a few priests and clerks to the western parts of Scotland, he reached Strogeth. There, for some time, he led a solitary life; but seeing the land that it was good, he put his shoulder and hands to the work, and founded and endowed three churches there. Thence he retired into Caithness, still preaching Christianity and converting the people, not more by his eloquence than by the lustre of his virtues. From Caithness he sailed to the shores of Buchan, to a place known by the vulgar as Lungley, where he built a church that still bears his name. Last of all, he came to Glammis, in Angus, where he chose his place of rest. There he died and was buried; but his relics, after many years, were translated to the Abbey of Scone, where they did many famous miracles.—(Brev., fol. clxiv.) Certain other of his relics were preserved in the treasury of the cathedral church of Aberdeen.—(Regist. Aberdon., Vol. II. pp. 143, 160, 167, 171, 172, 182.) The ultimate deposit of the bones of the saint of Caithness in the church of Scone marks their early connexion. It is remarkable, that the great house of Le Chene, so much connected with Caithness, was proprietor of the parish in Buchan, which derived its name of St Fergus from the Caithness Saint.

¹ Regist. Dunferm., 23.

² Liber de Scon., 58.

and Caithness, for the protection and defence of the ship belonging to the convent, while on her voyage within their jurisdictions. These transactions prepare us for finding the abbey at a somewhat later period, the proprietor of the church of Kildonan, with the lands of Borubol, which were the subject of a curious bargain in 1332.¹

The first of the bishops of the northern diocese, of whom we have any knowledge, was Andrew. He cannot have resided much in his bishopric, and indeed appears to have been in almost constant attendance on the court of King David I., and his grandsons, Malcolm and William. He was present, however, at one memorable transaction, the beginning of great calamities to his diocese. In the time of Pope Alexander III., Earl Harald, for the redemption of his sins, granted to the Roman see a penny yearly (*unum denarium*) from each inhabited house in the earldom of Caithness;² and that grant was attested by Bishop Andrew, and other nobles of the land. Bishop Andrew was once a monk of Dunfermline. Deriving probably a scanty revenue from his bishopric, he had a grant of the land of Hoctor common from David I., and held the church of the Blessed Trinity of Dunkeld; which was bestowed by Malcolm IV. upon the Abbey of Dunfermline, as soon as it should fall vacant by his death.³ He was undoubtedly a person of eminent qualities, were we only to judge from his being so constantly attached to the court and person of a monarch like David I.,

¹ Liber de Scon., 162.

² Epist. Innoc. III., Lib. I., No. 218. A similar grant was made to the Monks of Paisley by the Lords of the Isles in the twelfth century—*singulis annis unum denarium ex qualibet domo totius terre sue unde fumus exit.*—(Regist. Passelet, p. 125.) It was an imitation of the hearth-tax, called Peter's Pence, or *Romfeoh*, in Saxon England. The same principle of assessment prevailed in the vexatious petty rents that so long oppressed the Orkneys, and some of which are yet known among us, as 'kain.' It is not yet beyond memory, even on the mainland, that each fire house of a barony paid its 'reek hen'—*unam gallinam de qualibet domo unde fumus exit.*

³ Regist. de Dunfermlin.

and his grandsons.¹ He is quoted, as an authority on the geography of his country, by the English author of the little fragment "De situ Albanie," which has been attributed to Giraldus Cambrensis.² Andrew was bishop from about the year 1150,³ and he held the see till his death, on the 3d of the kalends of January 1185.⁴

The next Bishop of Caithness was John. It appears that at first he declined to exact the Papal contribution; but the Pope (Innocent III.) summoned him to obedience, and even granted a commission to the bishops of Orkney and Rosmarky to compel him to levy the tax, by the heavy censures of the church.⁵ Whether the poor bishop complied, or attempted to enforce the exaction of the tax, we are not informed; but his subsequent fate, as narrated in the wild sagas of the Norsemen, might appear incredible, were it not singularly corroborated by a Roman record. Earl Harald Madadson, who had been deprived of his Caithness possessions by William the Lion, resolved to recover them by force, and crossed from his Orkney kingdom to Thurso with a great fleet. There was no force capable of resistance. The bishop, who was residing in his palace of Skrabister, went out to meet him, as the intercessor for the poor Caithness men; but the savage Earl took him and cut out his tongue, and dug out his eyes

¹ There is much reason to think he was a man of property, and that the Church of Dunkeld was his of inheritance. Bishop Richard of Dunkeld confirmed to Dunfermelin "donationem regis Malcolmi et Andree episcopi Katenensis secundum quod eorum carte testantur, ecclesiam s. trinitatis de Dunchelde et omnes terras juste ad eam pertinentes."—Denmylne col. of orig. ch. No. 81.

² "Sicut mihi verus relator retulit Andreas videlicet vir venerabilis Katanensis episcopus natione Scottus et Dunfermelis monachus."—(T. Innes's Critical Essay, Ap. I.) Innes's reference is now antiquated. The fragment still exists, however, in the Royal Library at Paris.—(MS. Reg., 4126, fo. 16.) A collation by M. Teulet of the *Archives du Royaume* has furnished very few and unimportant corrections of the text as settled by Innes, and none that affect the sense of this curious piece of antique geography.

³ Regist. Glasg., 11.

⁴ Chron. Mailr.

⁵ Epistol. Innoc. III., Lib. I. No. 218.

with a knife.¹ The saga goes on to tell us, that Bishop Ion recovered the use of his tongue and his eyes, by the miraculous intervention of a native saint, written Tröllhæna.

The latter part of the story is not confirmed by any good authority ; but some part of the barbarity of the Earl, and the bishop's sufferings, is confirmed by the following letter of Pope Innocent, ascribed to the year 1202, addressed to the Bishop of the Orkneys :—" We have learnt by your letters that Lomberd, a layman, the bearer of these presents, accompanied his Earl on an expedition into Caithness ; that there the Earl's army stormed a castle, killed almost all who were in it, and took prisoner the Bishop of Caithness ; and that this Lomberd (as he says) was compelled, by some of the Earl's soldiery, to cut out the bishop's tongue. Now, because the sin is great and grievous, in absolving him according to the form of the church, we have prescribed this penance for satisfaction of his offence, and to the terror of others—That he shall hasten home, and, barefooted, and naked except breeches and a short woollen vest without sleeves—having his tongue tied by a string, and drawn out so as to project beyond his lips, and the ends of the string bound round his neck—with rods in his hand, in sight of all men, walk for fifteen days successively through his own native district, the district of the mutilated bishop, and the neighbouring country ; he shall go to the door of the church without entering, and there, prostrate on the earth, undergo discipline with the rods he is to carry ; he is thus to spend each day in silence and fasting, until evening, when he shall support nature with bread and water only ; after these fifteen days are passed, he shall prepare within a month to set out for Jerusalem, and there labour in the service of the Cross for three years ; he shall never more bear arms against Christians ; for two years he shall fast every Friday on bread and water, unless, by the indulgence of some discreet

¹ Orkn. Saga, p. 414.

bishop, or on account of bodily infirmity, this abstinence be mitigated. Do you then receive him returning in this manner, and see that he observe the penance enjoined him.”¹

William the Lion did not fail to exact the penalty of such an outrage. In 1197, he collected a mighty army, crossed the Oikel, and, perhaps for the first time, entirely subdued and intimidated the provinces of Northern Caithness and of Sutherland. As usual, the blow fell upon the people. The guilty chief made terms, and left his Caithness subjects to pay the enormous fine of a fourth of their whole possessions.²

In the midst of such fierce manners, civilisation held the same course here as in the southern districts of Scotland. The Church had taken the lead—through all obstacles vindicating the supremacy of the spiritual power. Following as her ally, the Sovereign used the policy of his grandfather, and introduced into his new province settlers of a different race. The chief of these were the family which soon began to be known by the surname of *De Moravia*, transplanted from the opposite shore of the Moray Frith. The first whom we find beyond the Frith, Hugo Freskyn, must have been possessed of a wide territory, if not the whole of Sutherland, in the reign of William, when he bestowed extensive estates there on his kinsman, Gilbert, then Archdeacon of the diocese of Moray, under the condition, that they should be destined by the churchman to some of his own lineage. William, the son of Hugh Freskyn, was styled ‘Lord of Sutherland;’ and it was probably for him that Alexander II. erected the earldom out of this ‘Southern land’ of old Caithness. His son, undoubtedly, was Earl of Sutherland, from whom the land and territorial honour have descended in an unbroken line to the present day.

It was perhaps some time before the province was reduced sufficiently to

¹ Epist. Innoc. III., Lib. III., No. 77.

² Orkn. Saga, p. 416; Fordun; Hailes.

bear the experiment of another tithe-gathering bishop. At least, we hear of none intermediate between John (who is supposed to have died of the effects of his mutilation) and Adam, who was elected Bishop of Caithness on the nones of August 1213, and consecrated by the Bishop of St Andrews on the day of St Mamertus, the 11th of May 1214.¹

He had been previously Abbot of Melrose. The Orkney saga tells us, that no one knew the family of Bishop Adam, for he was a foundling exposed at a church door.² King William, however, imitating his grandsire in zeal for the church, and labouring to enforce the payment of tithes in the remotest and most barbarous districts,³ found the Abbot of Melrose a fit person for his purpose, and placed him over the northern diocese. It was the established usage of Caithness, that for every score of cows a *span* of butter should be paid to the bishop. Bishop Adam was not contented with this proportion, and at first exacted the same quantity from fifteen cows; then from twelve; and at length demanded a *span* for every ten cows.⁴

¹ Chron. Mailr.

² In opposition to this statement, one authority makes Bishop Adam the son of King Alexander II., by his second wife, Queen Mary—a very glaring anachronism; but the note, if worth attention at all, may point either to another King or another Bishop.—Erroll MS., quoting “An anonymous MS. History of Scotland, writ under James V., a copy of which is now in the King’s College, Aberdeen.”

³ As in the wilds of the diocese of Moray—Regist. Morav., Nos. 1, 5; in Carric and Lennox—Regist. Glasg.

⁴ It must be observed, that this is given differently by our Scotch chroniclers. Wyntoun tells the story:—

“Adam the byschape of Catenes
That abbot of Melros before was,
For he denyid hys tendis then
For til set, til hys awyne men;
Thre hundyre men in cumpany
Gaddryt come on hym suddanly,
Tuk hym owt quhare that he lay
Of his chawmyre befor day,

Here the endurance of the people ceased. They assembled in a threatening manner on a hill near the bishop's manor of Haukirk, in Thorsdale. The Lögmaðr, or lawman, besought the bishop to yield, and to spare his oppressed people, but Bishop Adam was not to be moved. The Earl refused to interfere for reconciling the difference. The populace rushed to the house, in a loft of which the bishop and his party were drinking. A monk, his prime adviser, Serlo of Newbottle, went to meet them at the door. Him they fell upon, and threw back his dead body into the loft. The chronicler of the bishop's old monastery of Melrose maintains that Adam coveted martyrdom, and preferred death to abandoning the rights of the church, or to allowing the flock entrusted to him to remain longer in error. The Skald of the north tells us, that, after his councillor's death, he entreated Rafn, the lawman, to endeavour to make terms; and the wiser part of the people met him joyfully. But it was too late. As the bishop came out to confer with them, the violent part of the crowd became infuriated, seized him, thrust him into a hut, some say his own kitchen, and set fire to it; and thus miserably perished Bishop Adam, on Sunday, the octaves of the Nativity of the Virgin, 1222.

At these tidings, says the saga, King Alexander of Scotland was so wroth, that men still remember the dreadful vengeance he took on Caithness for the burning of the bishop; harrying the land, slaying or expelling the inhabitants.¹

Modyr nakyd hys body bare;
 Thai band hym, dang hym and woundyt sare
 In-to the nycht, or day couth dawe.
 The monk thai slwe thare, his falawe,
 And the child that in hys chawmyr lay,
 Thare thai slwe hym before day.
 Hymself bwndyn and wowndyt syne,
 Thai pwt hym in his awyn kychyne;
 In thair felny and thare ire
 Thare thai brynt hym in a fyre."—VII. 9.

¹ Orkn. Saga, p. 424; Chron. Mailr.; Extr. e var. chron.; Fordun, &c.

After all these deeds of violence, it became necessary to set a new bishop in the see of Caithness; and while it must have been difficult to find a fit person for the office, the fate of the former bishops had not been such as to render churchmen in general ambitious of it. The person chosen was Gilbert, the Archdeacon of Moray—a member of the great family of De Moravia, and himself already possessed of great estates in Sutherland, by the gift of his kinsman Hugh Freskyn. Gilbert was son of the Lord of Duffus, one of the chief castles of the family of De Moravia before they left their native province;¹ and although his father's name is nowhere precisely given, it may be asserted, without much doubt, that he was the son of William de Moravia, Lord of Strabrok and Duffus, and thus cousin-german of William Lord of Sutherland. The policy of selecting a man so connected, if otherwise eligible, for a bishopric in the difficult circumstances of Caithness, is sufficiently obvious; and Bishop Gilbert appears to have turned to account for the diocese all the means which his position and connexion put in his power. He wielded not only the influence of his family and his own possessions, but the power of the crown. He administered the affairs of government in the north, and superintended the building and fortifying of several royal castles for the security of the country.² He exercised his influence with Alexander to mitigate the severity of the punishment of the Caithness people for the burning of their bishop, his predecessor. He built the cathedral church of his see at Dornoch at his own expense, and its endowments were evidently of his gift, or procured by his means.

The first of the following documents is his charter of constitution of his newly built or projected cathedral. It is not dated, and its era can only be limited by the period of Bishop Gilbert's episcopate, extending from 1223

¹ "*Iste Gilbertus erat filius domini de Duffus*"—marginal note on the ancient chartulary of Moray.

² Sir R. Gordon, the historian of the Earldom of Sutherland, mentions a tradition, that he was the builder of the Castle of Kildrummy, in Mar—the noblest of northern castles.

to 1245. About the same time many Chapters were engaged in defining and authenticating their cathedral constitutions ; and we have recorded acts of this kind, of Aberdeen, and of the great Cathedral of Glasgow, whose Chapter sent to Sarum for the model of its constitution. But the diocese of Moray was the one to which the Bishop of Caithness would naturally look for his example, as his native diocese, in whose Chapter he had held a dignified office, and where the present bishop, Andrew de Moravia, was of his own kindred.

As Sarum had furnished the model adopted by the Chapter of Glasgow, so the Chapter of Moray took Lincoln for its guide and rule ; and, in the beginning of the thirteenth century, Bishop Bricius of Moray had dispatched the Dean Freskyn, and Andrew de Moravia, the Chancellor of his diocese, (destined to be his successor,) to learn accurately the customs and privileges, the constitution and order observed in the Cathedral of Lincoln. In framing his constitution for his northern diocese, again, Bishop Gilbert followed that of Moray in all particulars but one. There were the same number of canons, the same dignitaries in each ; but in Moray, as in others of the Scotch cathedrals, the bishop sat in the Chapter as a simple canon, without pre-eminence of rank or authority. In Caithness, the bishop, legislating for himself, and dealing with endowments of his own granting, determined it otherwise.

Our record bears that, in the times preceding the episcopate of Bishop Gilbert, such was the poverty of the place, and so much had it suffered by continual wars, that in the cathedral church there was but a single priest celebrating service. The Bishop, desirous to set forth more worthily the Divine worship, determined to rebuild the cathedral at his own charges, and to erect it into a conventual church, with such endowment as his narrow means admitted.

The Chapter of the Cathedral of Caithness was declared to consist of ten members, the Bishop being the chief and pre-eminent, and receiving the fruits of six parish churches (unluckily not named) for his use. Of the

other five dignitaries, the Dean had for his prebend the church of Clun [*Clyne*], the great tithes of the city of Dornoch and of the town of Ethenboll [*Embo*], with a fourth of the altarage of Dornoch and the whole land of Nethandurnach. The Precentor had the church of Creich, the parsonage tithes of Pronci, Auelech [*Evelix*], Strathormeli [*Strachormlary* or *Achormlary*, in *Dornoch parish*], Askesdale [*Ausedale*], and Rutheverthar [*Rhiarchar*], the fourth of the altarage of Dornoch, with the whole land of Hutherhinche at Dornoch. The prebend of the Chancellor was the church of Rothegorth [*Rogart*], the parsonage tithes of the twelve dauachs of Scelleboll [*Shelbo*], and another fourth of the altarage of Dornoch. The Treasurer's consisted of the church of Larg [*Lairg*], the rectorial tithes of Scitheboll [*Skibo*] and Sywardhoch [*Sydera* or *Cyderhall*], (except those of Strathormeli,) and the remaining fourth of the altarage of Dornoch. The Archdeacon had for his prebend the churches of Bauer and of Watne [*Bower and Watten*]. Of the undignified canons, the first had the church of Olrich for his prebend; the second the church of Donot [*Dunnet*]; and the last the church of Cananesbi [*Canisbay*]. The churches of Far and Scynend [*Skinnet*], the lands of Pethgrudi [*Pitgudie* in *Dornoch*], two Herkhenyis, and the common pasturage of Dornoch, were common to the prebendaries, and assigned in an artificial manner, in the view of securing cathedral residence. The canons had each a toft and a croft in the city of Dornoch. The dean was obliged to residence for half the year; the other canons to three months yearly of residence. The bishop and dignitaries were bound to provide *priests* as their cathedral vicars or stallers, (of whom the bishop's vicar alone had a provision from the cathedral—the rectorial tithes of Thoreboll [*Torboll*] and of Kynald, and twenty acres of land at Dornoch, with a toft and croft there.) The simple canons were allowed to find vicars in *deacons'* orders. The church of Dyrnes [*Durness*] was bestowed upon the cathedral, to find light and incense. A singular part of the constitution of the Chapter was, that the Abbot of Scone was of right a canon of the cathedral, although not bound to give

residence. His prebend was the church of Kelduninach [*Kildonan*], the property of the monastery of Scone.¹

It is difficult for a Scotchman now to call up to his imagination the cathedral towns of old Scotland. The effect of such a society of learned churchmen, holding a high position for influence and example, cultivating letters, preaching peace, and (for the most part) practising it, must have been great and beneficial in any rural district; but a glance at the past history of the district enables us in some degree to appreciate the benefits conferred upon Dornoch by the establishment of its bishop, its cathedral, and its chapter.

There are a good many mistakes in the common lives of Bishop Gilbert de Moravia.² It does not appear that he ever held the office of High Chamberlain of Scotland, though he probably administered the Crown property in the north. The story of his having distinguished himself at the Council of Northampton in 1176, and thereby winning a rapid promotion to his bishopric, when his election to the see of Caithness happened forty-seven years after that Council, needs no refutation. He had better titles to respect. He had a large share in civilising his rude province. He interposed between the vengeance of the King and the ignorant multitude. He made himself popular and beloved where his predecessors had been murdered; and, for whatever other miracles he was canonised, for these benefits he deserved to live in the affectionate memory of his people as 'Saint Gilbert.'

¹ The places in the charter are for the most part easily identified. Helgedall is now Halladale. Ra is the parish of Reay, partly in Sutherland, partly in Caithness. Herkhenys is not known. Scynend is the church of St Thomas of Skinnet. Sytheraw now figures as Cyder hall, a place near Dornoch. It will be observed, that besides receiving the seals of the Bishop and his Chapter, both of which are now gone, the deed has been prepared for their subscription of their names, which was much more unusual. Neither the Bishop nor Canons, however, have actually subscribed.

² Spottiswood, Keith, &c.

His festival was celebrated on the first day of April ; and Saint Gilbert was among the Scotch saints restored to the kalendar of the Scotch church in the ill-starred Service Book of King Charles the First.¹

The second of the documents here printed, was formerly an object of much interest to our antiquaries. It will be observed that it instructs three successive Bishops of Caithness, beginning with Bishop Gilbert—and two Earls of Sutherland in succession—before the year of its date, 1275. It was strangely omitted to be produced by the Earl of Sutherland in the Ranking of the Nobility in 1606, but was produced along with a fine roll of ancient *preuves de la noblesse*, in the process of reduction of the decreet of ranking raised by his grandson in 1667. In that action, which was dragged on for four years,

¹ It would appear that the relics of St Gilbert were had in reverence till a recent period. On the 23d day of April 1545, in presence of John Earl of Sutherland ; of Thomas Murray, Precentor, and Thomas Stewart, Treasurer of the Cathedral church of Caithness ; of Duncan Chalmer, Chancellor of the Cathedral church of Ross, and Paul Freser, pensionar of the Deanery of that church—in the chapter-house of the said Cathedral church of Caithness, appeared John Gray of Kilmaly, and made oath, *touching the relics of the blessed Saint Gilbert*, that he was altogether innocent of the coming of the servants and accomplices of Donald M'Ky of Far, within the bounds of the Earldom of Sutherland, and of the slaughter, depredation, and spulzie of goods there by them committed, and that he was not aiding or counselling of them therein. Then, John Matheson, Chancellor of Caithness, and the said John Gray, gave their great oath, *touching the relics of the most blessed Saint Gilbert*, to be faithful to the said Earl of Sutherland. And thereafter, Murquhard Murray in Pronsi, and Walter Murray in Auchflo, made oath—*tactis sacrosanctis beatissimi Gilberti reliquiis*—that, in riding with their complices in the month of October last, to the harbour of Unis, they nowise intended the hurt of an honourable man, Hugh Kennedy of Girvane Mains.—*Protocol Book of Mr David Seaton, 1534-1577, among the Records of the City of Aberdeen*. For the events, see Sir R. Gordon's History, p. 111.

Sir Robert Gordon, far more accurate than the common herd of genealogical writers, refers to the WILL of Bishop Gilbert de Moravia as still extant in the Registers of the See of Caithness in his time, or about 1636. If that document chance to have escaped destruction, it would be of singular interest to the law antiquary.

no final decision was come to, and the Earl of Sutherland's name continued to stand erroneously on the Rolls of Parliament, after the Earls of Angus, Argyll, Crawford, Erroll, and Marischall.

Besides the illustration it affords to the succession of the Earls of Sutherland and their northern bishops, the deed is of some importance for early statistics, and the land history of a district where documents of such antiquity are unfortunately rare.¹ The original, in fine preservation, is at Dunrobin.

The seals originally affixed to the charter are gone. Those here represented are from ancient seals of the Chapter of Dornoch. The larger is from an impression of a brass stamp which was in the possession of the late Mr Thomas of Oxford Street, London, impressions of which are found at writs of the thirteenth century. One old impression of this seal in the Chapter-House, Westminster, not now attached to any writing, has for its counter-seal the smaller seal here represented. The subject is the Annunciation—the angel holding a scroll of *Ave Maria*. The legend, not very distinct, may be deciphered—

Collegivm : consigno : mevm : Catanense : Mariae.

C. I.

¹ Some of the places in this charter occur in the Bishop's constitution. Scythebolle is Skibo; Syttheraw, Cyder hall; Miggewet, Migdale, in Creich; Swerdisdale, Swordale, also in Creich. Bunnach is Bonar. Cuttheldawach is Cuthil in Dornoch; Mouimor, Muimore; Awelec, Evelix in Dornoch; Promsy, Proncy, of which name there are Proncy, Proncy-croy, and Proncy-nain, three townships in Dornoch; Haskeedale, Ausdale—Astel; Hacchencossy, Achosnich in Dornoch; Thorebolle, Torboll; Kynalde, Kinnauld; Largge, Lairg; Owene, Unes, Little ferry. Some places round Dornoch are still known by names recalling the memory of their old possessors, as Croite-an-Easpuig, Ach-in-chanter, Ach-in-treasurer, &c.—the *field* or *croft* of the Bishop, Precentor, and Treasurer—marking probably the patch of land attached to the cathedral manse of those dignitaries, Poll-a-Ghilibert, &c.



I.

CONSTITUTIO CAPITULI ECCLESIE CATHEDRALIS CATHANENSIS A GILBERTO EPISCOPO DATA A.D. 1223-1245.

UNIVERSIS Christi fidelibus hoc scriptum visuris vel audituris Gillebertus diuina miseratione Episcopus Cathanensis Eternam in Domino salutem. Cum in temporibus precedentibus tempus administracionis nostre in Cathedrali Ecclesia nostra non esset nisi vnicus sacerdos deo ministrans, tum propter loci paupertatem tum propter frequentem hostilitatem, nos ad honorem domini nostri Jesu Christi et beatissime Marie matris eius et omnium sanctorum desiderantes in eadem cultum diuinum ampliare, habito super hoc diligenti tractatu et consilio virorum discretorum, decrevimus ipsam cathedralem ecclesiam sumptibus propriis edificare [eandemque] in honorem supramemorata dei genitricis dedicatam, pro modulo paupertatis nostre conventualem erigere. Ordinamus itaque et prouidimus in eadem ecclesia decem esse canonicos Episcopo qui pro tempore fuerit inter eos communiter per se vel suos vicarios iugiter ministrantes Quibus Episcopus quasi capud

preminebit. ex reliquorum numero quinque creatis dignitatibus, videlicet Decanatu, precentaria, Cancellaria, Theffauraria, et Archidiaconatu: Quorum quilibet, una cum episcopo et abbate de Scon, canonico in eadem ecclesia instituto, sacerdotem vicarium in sua absencia pro se inveniet singulis diebus in prefata ecclesia ministrantem. Tres vero reliqui canonici tres invenient diaconos predictis sacerdotibus in ipsa Ecclesia iugiter assistentes et servientes. Ad sustentacionem igitur predictorum canonicorum et luminaribus ecclesie cathedralis quatuordecim parochialibus ecclesiis nostre diocesis deputatis sexque consimilibus Episcopalibus usibus referuatis: Vnicuique ipsorum suam prebendam discretam et distinctam assignare curauimus. In primis Decanatu ecclesiam de Clun cum omnibus prouentibus suis et pertinentiis, decimas garbarum ciuitatis de Durnach et uille de Ethenboll, cum quarta parte altaragii de Durnach, et tota terra de Methandurnach. Precentarie autem ecclesiam de Crech cum omnibus suis prouentibus et pertinentiis et capellis, decimas garbarum de Promci et de Auelech, de Stradormeli, Askedale, et Rutheuerthar, quartam partem altaragii de Durnach, cum tota terra de Huctherhinche apud Durnach. Cancellarie autem ecclesiam de Rothe-gorth cum suis prouentibus omnibus et pertinentiis, decimas garbarum de Scelleboll scilicet de duodecim dawachs et quartam partem altaragii de Durnach. Theffaurarie uero ecclesiam de Larg cum omnibus prouentibus suis et pertinentiis, decimas garbarum de Scitheboll et Sywardhoch, exceptis decimis precentarie apud Stradormeli preassignatis, ad predictas terras spectantibus et similiter quartam partem altaragii ecclesie de Durnaht. Assignato nichilominus vnicuique premissarum quatuor prebendarum tosto et crosto liberis in ciuitate de Durnach. Et ut predictas optinentes dignitates ad residenciam facilius et melius inducantur, ipsis in ecclesia cathedrali residentibus aut in eiusdem vel Episcopi negociis externis occupatis, ecclesiam de Far cum omnibus suis prouentibus et pertinentiis in communi assignauimus, exceptis decimis et prouentibus de Helgedall ecclesie de Ra prius a nobis propter ipsius ecclesie ad Helgedall propinquitatem et ecclesie de Far

magnam distanciam deputatis. Reseruataque nobis nichilominus potestate diuidendi predictam parochiam de Far in plures propter ipsius diffusionem. Decernentes et statuentes ut residentes ut premissum est, ejusdem ecclesie prouentus omnes et suarum capellarum pro equali percipiant porcione quando residenciam fecerint. Absentes autem in sua nichil percipiant absencia. Qui cum sint eciam post Episcopum in ecclesia cathedrali principales et precipui, ipsorum ecclesias ab omni onere archidiaconali officialium et decanorum ruralium liberas fore decreuimus et immunes. Statuentes ut predictorum nullus jurisdictionem aliquam in eorum personas vel familias aut capellanos exercere presumat: ipsorum per nos et capitulum excessibus corrigendis. Archidiaconatui autem assignamus ecclesias de Bouer et de Watne cum omnibus suis prouentibus et pertinentiis. Infuper assignauimus Cancellarie et Thessaurarie et Archidiaconatui totam terram de Pethgrudi et totam terram de duabus Herkhenys equali porcione inter eos dividendas cum communi pastura dicte ciuitatis de Durnach. Prebende vero abbatis de Scon, ecclesiam de Kelduninach cum suis prouentibus omnibus et pertinenciis assignauimus: qui per sacerdotem vicarium in ecclesia cathedrali ministrabit ut superius est expressum: ipso et suis successoribus ad residenciam uel ad inueniendum vicarium in ecclesia sua prebendali nullatenus compellendis: eo tamen proviso quod eidem ecclesie per sacerdotem competentem nichilominus seruiatur. Tribus autem reliquis prebendis tres ecclesias parochiales, videlicet Olrich, Donotf, Cananefbi separatim adiunximus ecclesiam de Scynend ipsorum communitati deputantes: cujus prouentus residentes tantum percipiant ut superius de ecclesia de Far ordinatum est et dispositum. Si vero nullum eorum residere contigerit, operacioni et ornatui ecclesie cedant cathedralis, salvis centum solidis Willelmo de Ros clerico nostro prius concessis et assignatis in vita sua de eadem ecclesia percipiendis, et similiter salvis tribus marcis Eudoni capellano nostro assignatis singulis annis de eadem ecclesia [quibus vero] cedentibus aut decedentibus predicta ecclesia de Scynend ad usus predictorum trium canonicorum [cedet] in equali porcione

inter eos dividenda. Ecclesiam autem de Dýrnes assignavimus ad inven-
endum cathedrali ecclesie lumen et incensum. Ad sustentationem insuper
vicarii pro nobis in dicta cathedrali ecclesia ministrantis ex consensu capi-
tuli nostri decimas garbarum de Thoreboll et de Kýnald et viginti acras
terre apud Durnach cum tofto et crofto in eadem ciuitate assignauimus.
Nichilominus quinque prebendis superius proximo institutis et distinctis
toftis et croftis ibidem assignatis ne in absencijs suis exinde ualeant excu-
sationes assumere. Decreuimus igitur et constituimus ut premissas ecclesias
et eas prebendas optinentes cum omnibus pertinentiis libere percipiant et
quiete, salvis nobis episcopalibus de ecclesiis. Preterea per communem
capituli consensum statuantes decreuimus ut Decanus singulis annis saltem
per medietatem cuiuslibet anni moram contrahat in ecclesia cathedrali, et
omnes alii canonici in dignitatibus vel extra constituti, excepto Abbate de
Scon, singulis annis residenciam faciant per tres menses simul vel singillatim
nisi licentiatus fuerit ab episcopo vel capitulo: quam qui non fecerit qualibet
ebdomada sue absencie operationi et ornatui cathedralis Ecclesie duodecim
denarios persolvat. Decernentes insuper statuimus quod si quis canonicorum
canonice vocatus per episcopum vel capitulum ut veniat ad defensionem
ecclesie, consilium et auxilium eidem inpenfurus, venire neglexerit; redditu
sue priuetur prebende quousque veniat ad condignam satisfactionem nisi
canonicam pretendere possit excusationem. Item ordinauimus et statuimus
ut quilibet septem sacerdotum in premissa ecclesia cathedrali ministrantium
singulis diebus celebret diuina nisi canonice fuerit prepeditus, et tam
predicti sacerdotes omnes quam diaconi singulis horis interfint qualibet die,
nisi aliquem abesse contigerit infirmitatis causa vel cum licencia episcopi
si presens fuerit, vel decani. Qui vero se aliter absentauerit secundum
consuetudinem super hoc in ecclesia optinendam puniatur. Cunctis igitur
predicte cathedrali ecclesie et canonicis ac vicariis in ipsa deo ministrantibus
sua jura servantibus, sit pax et gloria domini nostri Jesu Christi, quatinus et
hic fructum bone actionis percipiant et apud districtum iudicem premia

eterne pacis invenient. Distrahentibus autem et injuriantibus ira et indignacio omnipotentis dei in perpetuam dampnationem. Et ut premiffa omnia rata permaneant et inconcussa ac robur optineant perpetue firmitatis, huic ordinationis et constitutionis nostre pagine propria manu subscripsimus eidemque in indubitabile testimonium sigillum nostrum una cum sigillo capituli nostri fecimus apponi: postulantes ut quod nostra qualiscumque statuit discretio, successorum nostrorum nulla cassare presumat elacio. De qua ut evidencius in posterum constare possit, singuli canonicorum nostrorum propriis manibus roborantes, subscripserunt. Teste capitulo.

II.

CARTA ARCHIBALDI EPISCOPI CATHANENSIS DE CONTROVERSIA INTER COMITES SUTHERLANDIE ET EPISCOPOS, A.D. 1275.

OMNIBUS Sancte matris Ecclesie filiis hoc scriptum visuris uel auditoris, Archebaldus miseracione diuina Episcopus Cathannie salutem Eternam in Domino. Cum diutina controuerfia quondam exorta fuit inter venerabiles patres predecessores nostros Gilebertum Willellmum et Walterum bone memorie Episcopos Cathannie nomine dicte Ecclesie ex una parte et nobiles viros Willellmum clare memorie et Willellmum ejus filium comites Sutherlandie super castro de Schythebolle cum quibusdam aliis terris videlicet sex

dauatis de Schytthebolle et sex dauatis de Syttheraw cum passagio, et duabus dauatis terre cum dimidia de Miggewet, Swerdisdale, Creych, cum piscaria de le Bunnach, de Cuttheldawach, de duabus dauatis de Mouimor, de duabus dauatis de Awelec, de tribus dauatis de Promsy, de una dauata de Roweherthar, de tribus quarteriis de Hafkesdale, de dimidia dauata de Hacchencoffy, de tribus dauatis de Thorebolle, de duabus dauatis de Kynalde, et de quatuor dauatis de Largge: In quibus terris et castro dicti predecessores nostri nomine ecclesie Cathannie ius sui vendicabant a predictis comitibus: et dicta controuersia in non modicum dispendium ecclesie Cathannie et graves sumptus dictorum comitum diu fuit agitata et protelata usque ad tempus nostrum et Willelmi filii predicti comitis clare memorie. Tandem viri fideles et pacis zelatores, prelati ecclesiarum, nobiles viri, comites et barones et alii quam plures fide digni, pressuris et angustiis ecclesie Cathannie et laboribus et expensis predictorum comitum compacientes, zelo caritatis instincti, partes suas diligenter interposuerunt ut pacem et unitatem inter ecclesiam Cathannie nos et successores nostros, et predictum nobilem Willelmum comitem et ejus heredes, ordinarent et in perpetuum stabilirent. Tandem post multas ordinationes et prelocutiones, dominus comes consilio dictorum prelatorum procerum et aliorum fide dignorum inclinatus, mera voluntate sua et spontanea, concessit ecclesie Cathannie nobis et successoribus nostris, castrum de Schytthebolle cum sex dauatis terre adiacentibus et sex dauatis terre de Syttheraw, cum passagio et duabus dauatis cum dimidia de Miggeweth, Swerdel, et de Creych, cum piscatura de le Bunnach, et duabus dauatis de Mouimor, cum eorum pertinenciis: Tenendas et habendas et in perpetuum pacifice possidendas ecclesie Cathannie nobis et successoribus nostris, salvo forinseco seruicio domini Regis, sine aliqua controuersia de cetero motura ab ipso comite vel heredibus suis. Residue vero terre videlicet due dauate de Awelech, tres dauate de Promsy, una dauata de Rutherhard, tres quarterie de Hafkesdale, dimidia dauata de Hacchencoffe, tres dauate de Thorebol, due dauate de Kynalde, quatuor

dauate de Largge, et una dauata de Cuttheldawach, de mera voluntate nostra et consensu capituli nostri, residebunt penes predictum comitem et heredes suos in perpetuum plenarie hereditarie et pacifice sine contradictione vel inquietacione moturis a nobis vel successoribus nostris. Ad hoc vero ut ecclesie nostre, nobis et successoribus nostris securius esset proprium, et ut plenariam possessionem dictarum terrarum ecclesie nostre, nobis et successoribus nostris a dicto comite concessarum poterimus nancisci, et pro utilitate et commodo nobis et successoribus nostris a dicto comite collatis, de voluntate et consensu capituli nostri dedimus et concessimus predicto comiti et heredibus suis unam dauatam de Owenes valentem dimidiam marcam, et quod dictus comes et sui heredes possint nobis et successoribus nostris qui pro tempore fuerint unum capellanum presentare, qui in perpetuum celebrabit in ecclesia de Durnach ad altare Sancti Jacobi pro animabus dicti comitis predecessorum et successorum suorum: quem quidem capellanum nos et successores nostri ad presentationem predicti comitis et heredum suorum admittemus, et dicto capellano ad ejus sustentacionem quinque marcas annuas de bonis episcopalibus videlicet de firmis nostris de villa nostra de Durnach per manus baliuorum nostrorum qui pro tempore fuerint et successorum nostrorum ad duos anni terminos videlicet ad festum Sancti Martini in yeme duas marcas cum dimidia et duas marcas cum dimidia ad Pentecostem in perpetuum administrabimus. Promissimus etiam de voluntate et consensu capituli nostri pro nobis et successoribus nostris quod nos providebimus, faciemus pro dicto comite et ejus heredibus omnem securitatem ad istas ordinacionem concessiones in perpetuum inviolabiliter observandas quam ipse et consilium suum velint et poterint de jure ordinare vel petere. Et ad istam ordinacionem seu compositionem inviolabiliter in perpetuum observandam in omnibus et per omnia prout superius scriptum est, tam nos pro nobis et successoribus nostris, tam Decanus, Archidiaconus, precentor et Cancellarius, pro se et capitulo Cathannie; Comes pro se et heredibus suis, fidem dedimus corporalem. In cuius rei testimonium et ad

maorem hujus rei securitatem, huic scripto penes comitem et ejus heredes residenti sigillum nostrum una cum communi sigillo capituli Cathanie, et sigillum Decani, Archidiaconi, precentoris, et cancellarij Cathannie est appensum. Consimili vero scripture penes nos et successores nostros et capitulum nostrum residenti sigillum predicti comitis una cum sigillis domini Willelmi de Monte Alto, domini Andree de Moravia, Domini Alexandri de Moravia et Domini David de Ynverlunan est appensum. Actum in Cathedrali ecclesia Cathannie x kalendas octobris Anno gratie m^o.cc. septuagesimo quinto.

EXTRACTS
FROM A MANUSCRIPT VOLUME OF
CHRONICLES,

IN THE POSSESSION OF

THE RIGHT HONOURABLE LORD PANMURE.

VOL. III.

D

The following extracts may not add much to our materials for illustrating the early history of Scotland. The fragment of the Chronicle, however, is possessed of some curiosity, both on account of the language, and as exhibiting that spirit of animosity towards England which prevailed at the time when it was written. It evidently belongs, like the rest of the Manuscript, to the reign of James the Second. There is a similar fragment preserved in Asloane's Manuscript, in the Library at Auchinleck, which was printed at the Auchinleck Press, 1818, 4to, by the late Sir Alexander Boswell, for private distribution. It bears this title:—"Ane Tractat of a part of the Ynglis Cronikle, shawand of thar kings part of thar ewill & curfit gouernance and thar vnhappie lynage, als weil fra autentik writ als fra thar awne fenzeit Policronicon."

The volume from which the following extracts are taken, is a small folio, on paper, written probably about the year 1460. It is in old gilt binding, lettered ORCADES, and is bound along with an edition of a well-known work, entitled, "FASCICULUS TEMPORUM, omnes antiquorum cronicas complectens," 90 leaves, folio, without place or date, but printed before the year 1500. The volume at an early period had been acquired by Robert Reid, Bishop of Orkney, who died in September 1558; and the composition of a considerable portion of it has very erroneously been attributed to this learned prelate.

The following unfinished memorandum is written on a fly-leaf:—"This buk pertenis to Thomas Tulloch of Fluris be the gift of his maistair Robert Beshop of Orknay anno 1554; and was maist fameliar with the faid Beischop the space of xxij zeiris: viz. fyf zeiris chalmer-cheld and purfmaister to hym, and xvij constabill and chalmerlane to hym in Orknay, quhill he depertit of this mortall lif efter that he returnit fra

“ the merrage of our souerane lady Marye Quene of Scotis with Francis,
 “ the eldaft sone of the maift Crestin kyng Henry the Secund of that name,
 “ quhilk maraige was the xxiiij daye of Aprile anno 1558, with greit honor
 “ and treumphe at Paris: the said Robert cumand in Scotland, with the
 “ rest of the Lordis Inbasatouris, war be storm of feis dung bak and put
 “ on fchor at Deip quhar he depertit the xv day of September the said
 “ zeir: ane nobill godlie man, fauorar of peice iustice and police, lufit with
 “ gud men and”¹

Among the materials contributed to Sir Robert Sibbald for his projected work, “ The Scottish Atlas,” in 1684, he received from the Rev. James Wallace, minister of Kirkwall, an elaborate description of the Islands of Orkney. After the author’s death, it was published by his son, in 1693, with some verbal corrections by Sibbald, to whom it was dedicated. The Editor afterwards republished the work in his own name, as “ An Account of the Islands of Orkney. By James Wallace, M.D., and Fellow of the Royal Society.” London, 1700, 8vo. He then dedicated the work to Charles Earl of Dorset; but makes no mention of its previous publication.² He has in many places corrected the language, and has omitted the

¹ The rest of the sentence is left unwritten.

² It was not very creditable to Wallace to have published the work under his own name, without making any mention that it had appeared as a posthumous work, under this title, ‘ A Description of the Isles of Orkney; By Master James Wallace, late Minister of Kirkwall, published after his Death by his Son. Edinburgh, printed by John Reid, in the year M.DC.XCIII.’ 12mo. The original MS. written by Wallace, and corrected for the press by Sibbald, is still preserved. But in the dedication of the book itself, “ To the much honoured Sir Robert Sibbald of Kipps, &c.,” signed James Wallace, Edinburgh, October 16, 1693, the Editor says—“ It was in compliance with your desire (when you were composing your Atlas) that my Father made this Description, to give you an Account of that Country,” &c. In this earlier publication no notice is taken of Norrie’s MS.—In a subsequent article in this volume, it is proposed to insert the Proposals by Sibbald for publishing his Atlas of Scotland.

translations of the Latin verses. His own additions are chiefly confined to Chapter II., in which he presents a long Catalogue of "Plants growing naturally in Orkney;" and "An Account of their Land and Sea-shells." In Chapter VIII., containing "The History of the first Plantation of the Isles of Orkney, and of the Ancient and Present Possessors of them," he has also made a considerable addition, by inserting, "A double of an ancient Manuscript relating to the Affairs of Orkney; wherein there is an Account of the first Possessors of that Country, different from the former, and a full Account of the Earls of Orkney till that time." This refers to the Letter respecting the Genealogy of the Earls of Orkney, which is subjoined to these Extracts in the present Miscellany. Wallace thus introduces it: "The following paper I transcrib'd from an ancient Manuscript, now in the hands of the Reverend Mr Robert Norry, Minister of Dundee.¹ By the characters and way of writing it seem'd to be of the age it relates to, viz. 1403 [1433?] tho' in some things it differs from the Account you have had before; yet because this may be more likely, and that it gives a better Account of the Earls of this Country, I thought it might not be unacceptable to the curious."²

Two years later, Bishop Nicolson, in his *Scottish Historical Library*, p. 50, says, "There's a pretty ancient History of these (the Isles of Orkney,) together with a short one of the whole Kingdom, which was compiled by order of the King of Denmark; and its truth is attested by the Bishop and Prebendaries of that Church. A Manuscript copy of it

¹ Robert Norrie, minister of Dundee during the time of Episcopacy, was deprived in 1689, but he appears to have continued at Dundee, probably till the time of his death. He had previously been minister of Dunfermline, having been admitted to the first charge 18th September 1678, and was translated to Dundee in 1686.—(*Records of the Synod of Fife*, p. 237.) In 1724, he was consecrated Bishop of Glasgow (which occasioned much contention in the Episcopal Church), without receiving any territorial jurisdiction or charge. He died in March 1727.

² Account of the Islands of Orkney, p. 121.

(which belonged formerly to Bishop Reid) is now in the possession of Mr Robert Norrie, Minister at Leckoway, near Forfar; and contains about 2 quires of paper." Here Bishop Nicolson shows less accuracy than usual, in having confounded the Diploma regarding the Genealogy of the Earls of Orkney with the Description of the Country; while he overlooks the publication of the former by Dr Wallace.

This, however, is a slight mistake, compared to the next mention of the volume by Dr George Mackenzie, in his "Lives and Characters of the most eminent Writers of the Scots Nation." In his "Life of the reverend Father in God, Robert Reid, Bishop of Orkney,"¹ whilst evidently using Nicolson's words, without attending to their import, he says, "We have nothing of this learned Prelate's Writings, but a Description of the Orkney Islands, the verity of which was sworn to, by him and his Prebends, to satisfy the King of Denmark, at whose desire it was undertaken; and this is still extant in MS., and consists of about a quair of paper in folio, and was in the custody of the Reverend Mr Robert Norrie, Minister at Leckoway,² near Forfar. I have likewise in my custody a MS. Genealogy of the Family of the Sinclairs, sent by this Prelate to the King of Denmark; which is all that I know of his that is extant." The Genealogy he mentions is merely a translation of the article contained in Norrie's MS., and written by Thomas, Bishop of Orkney, about the year 1433; as more particularly noticed in page 63 of this volume. But Mackenzie's assertion has been copied by later writers, although Lord Hailes, without having seen either of these MSS., with his usual sagacity, remarks, "It is more probable, that Bishop Reid only certified the authenticity of those treatises: for Nicolson says, in his *Scottish Historical Library*, that they were signed by the Bishop and his Chapter."³

¹ Vol. iii., pp. 46-51: Edinburgh, 1722, folio.

² There was no parish of this name; but there is a place named Leckoway, in the parish of Kinnettles, near Forfar, where Norrie may have resided.

³ Catalogue of the Lords of Session. Edinburgh, 1767, 4to.

THOMAS TULLOCH, or DE THOLACK, Bishop of Orkney, was a man of great skill and prudence. The time of his elevation to the See is not ascertained; but, in 1422, he was intrusted with the administration of the Islands of Orkney by Eric King of Norway, Denmark, and Sweden. He was superseded in this charge, after twelve months, but was subsequently reappointed, and was administrator in the year 1433, when the King of Norway issued an order to search the archives, records, and other evidences, to ascertain the rights of William Earl of Orkney to the Earldom.¹

Lord Panmure's Manuscript consists of the following articles :—

- I. *Ystoria Norwegiae*, 23 pages. This includes a brief description of Iceland (*De Glaciali Insula*) and the Orkney Islands.
- II. A Letter or Testimonial, in Latin, from Thomas Bishop of Orkney, and the Chapter of Kirkwall, to the King of Norway, respecting the Genealogy of William Earl of Orkney, 11 pages.
- III. *De Regibus Norwegiae*, 2 pages.
- IV. The Cronycle of Scotland in a part, 10 pages.
- V. *Cronica Antiqua Diversarum Cronicarum Origo*, 1 page and a half, evidently imperfect.
- VI. *De Johanne Balliolo, &c.*, half a page.
- VII. *Nomina omnium Regum Scotorum, &c.*, 23 pages, ending with a notice of the death of King James the First, who was slain at Perth 20th February 1436-7.

It will be seen that the next article in this Miscellany contains a copy of No. II.; and the most interesting portions of the others are selected in the pages immediately following. The manuscript unfortunately presents a very corrupted text in nearly all the articles it contains.

¹ *Torfæi Orcades*, p. 183; *Barry's Orkney Islands*, p. 200.

DE TRIBUTARIIS INSULIS.

Sunt ergo quedam infule prejacentes Gulacie que ab incolis Solunde nominantur, unde Solundicum Mare dictum quod inter Norwegiam et Iberniam fluit, in quo sunt Orchades infule numero plusquam xxx^a a quodam comite Orchano nomine vocate; que quidem diversis incolis acculte nunc in duo regna sunt divise. Sunt enim merediane infule regulis fullimate; brumales vero comitum prefidio decorate; qui utrique regibus Norwegie non modica persolvunt tributa.

DE ORCADIBUS INSULIS.

Istas infulas primitus Peti et Pape inhabitabant. Horum alteri scilicet Peti parvo superantes pigmeos statura in structuris urbium vespere et mane mira operantes, meredie vero cunctis viribus prorsus destituti in subterraneis domunculis pre timore latuerunt: Sed eo tempore non Orchades ymmo terra Petorum dicebantur, unde adhuc Petlandicum Mare ab incolis appellatur quod sejungit infulas a Scotia: ubi omnium maxima vorago, que fortissimas naves quas per ledonem attrahendo diglutit, earundem fragmenta per malenam eructando evomit. Qui populus unde illuc adventasset penitus ignoramus. Pape vero propter albas vestes quibus ut clerici induebantur vocati sunt, unde in Theutonica lingua omnes clerici Pape dicuntur. Adhuc quedam infula Papey ab illis denominatur. Sed nec per habitum et apices librorum eorum ibidem derelictorum notatur. Affricani fuerunt, Judaismo adherentes. Ista itaque nationes in diebus Haraldi comati Regis videlicet Norwegie quidam pirate prosapia robustissimi principis Rognvaldi progressi cum magna classe Solundicum Mare transfretantes de diuturnis sedibus

exutas ex toto deleverunt, ac insulas sibi subdiderunt, ubi securius hiemalibus sedibus muniti, estivo tempore cum in Anglos tum in Scotos quandoque in Hibernios suam excercentes tyrannidem, verum ut de Anglia Northimbriam, de Scotia Kathanasiam, de Hybernia Difflinniam, ceterasque maritimas urbes suo imperio subjugarent . De quorum collegio quidam Rodulfus a focius Gonguralfr cognominatus, quia ob enormem corporis quantitatem equitare nequiens semper incescit, Rodam civitatem Normandie cum paucis mirabili ingenio devicit . Namque in quodam flumine cum xv navibus latitantes, singuli quique naute singulas precavantes fossas, tenuis glebis campi spissitudinis identitatem simulantibus, ordinata acie ultra loci concava parati ad pugnam progressi sunt ; quo comperto cives directis ordinibus hostes infeuntur . At illi ficta fuga quasi ad naves festinantes equites cunctis velocius se subsequentes ac catervatim in latencia precipitia cum loricatis sonipedibus proruentes, illi inquam Norwagenses tyranni funesta manu eos trucidabant . Itaque fugatis civibus urbem libere intrabant simulque cum ea omnem illam regionem optinebant, a quibus Normandie nomen adepta est . Ast idem Rodulfus regni primatu potitus defuncti comitis uxorem duxit, ex qua genuit Willelmum cognomento Longosped, patrem Ricardi ; qui item filium genuit sibi equivocum . Junior vero Ricardus pater erat Wilelmi bastardi, qui Anglos devicit . Iste genuit Willelmum Rufum et Henricum fratrem ejus, qui in propheta Merlini regis, Leo justicie prenominatus est . Rodulfus vero comes Normandie effectus, hostili manu Fresones invasit, victoriam impertivit, sed parvo intervallo a privigno suo in Hollandia dolo interemptus est . Interim focii ejus in Orchadibus suum regnum firmiter stabilerunt . Revera enim usque hodie illorum posteritates dominio [nullo] subjacent, excepto quod jure tributario Regibus Norwegie deserviunt .

THE CRONYCLE OF SCOTLAND IN A PART.

IN primis nota That the nacion of Scottis begouth in the tyme of Moyfes .
 For in his tyme, like as is contenyt in the Bibil, Gennesis, that thai dais the
 Ethiopes infeckit all Egypt with cruell were ; for the quhilk the Egipcianis
 callit in thair help thair allye the Grekis, quhilkis than war allyit to tham
 than as now is allyit France to us . And the king of Athenes, in Grece, callit
 Neolus, send his sone Gayelglas, efter quham oure langage Scottis is callit
 Gayelgaggit, with a grete power of men in Egypt, and discomfit the Ethiopis,
 dauntit and abandownit the Ethiopis ay to the tyme that Moyfes raife . For
 the quhilk victory the king of Egypt gave his anerly douchter and aire to
 the said Gayel, callit Scota, in mariage . Off the quhilk Scota, we efterwart
 war all callit Scottis, as the custume was that tyme to call nacions efter
 women, and nocht efter men, as Afya Affrica and Europa, the thre principale
 partis of the warlde . Juxta illud,

A muliere Scota vocatur Scocia tota .

Nomen habet vetito Gathelos ducis aucto .¹

Sa that the opynion of thame may nocht stand that trowis that we come of
 Brutus, quhilk come of the traytouris of Troye as is wele kend . lyke as

¹ In the MS., "audanto." In the Chronicon Rythmicum, added to some of the MSS. of Fordun, these lines read—

Scoti a Scota, de Scotis Scocia nota,

A muliere Scota vocatur Scocia tota.

But, in Fordun's Scotichronicon, Lib. I. cap. xxvii., they are as follows :—

Scoti de Scota ; de Scotis Scotia tota

Nomen habent : vetito Gaithelos ducis adaucto.

is contenyt in the story of Troye, Gwydo de Columpna . Bot we ar cummyn of the worthiest nacion that ever was in erde, that is the Grekis, of the mannis fyde Gathelos . Off the Egipcianis of the wommannis fyde, Scota . quhilkis war before the destructione of Troye . iij^o zere . and efter that was Brute borne nere a hunder zere, fa the nacion of Scottis begouth before the Britones were . iiij^o zere . Sa mycht we never cum of thame sen we war fa lang before thame . And that the Grekis war the worthiest, it apperis, for thai have bene twise conquerouris of the warlde, be Hercules and Alexander . and Troyanis never, bot at thair defense and venguist at the last . in case that of thaim senfyne ar cummyn diverse worthy men . and zit come thai of thame that bare the foule furname, that is to say Antenor, Eneas, and Helenus, quhilkis all thre procurit the trefon of Troy, with Polidamas . In losing of the Grekis, fais Varro, that famous clerk . *Grecia cum suis provinciis est regnorum domina, milicie matrix, prophecie mater, omnium scienciarum inventrix et magistra, cujus gens bellicosissima dono sapiencie et sciencie predita, fermone disertissima, legibus subdita, pia circa extraneos, pacifica circa incolas et domesticos quieta, contra hostium injurias nimium intollerabilis et infesta, cujus ydeoma omnium clarius et sonantius, etc .* This foresaid Gayell and Scota war maryit togeder in the tyme that the barnis of Israhel passit the Rede Sea . and efter the deceffe of Pharo thai governyt the land of Egipt, and for thai saw sik cruell plagis cum of Egipt, thai decretit to pas with thair folkis that he brocht out of Grece, and mony of Egipt, to seke void landis and unenhabyte . For he wald nocht pas in his awin contree agayne, as the maner was that tyme . And in fiklyke maner left Ethiope Egipt, and come in Grece, for the plagis that fell on it . And gif ony wald oppone to us that we ar cummyn of Egipt of the ta fyde quhilk oppreffit the barnis of Israhel, that argewis nocht us the wers tharefore . For ryght fa war Criste the wer that come of Jowis, quhilk is nocht futh . Juxta illud,

Sicut spina rosam sic genuit Judea Mariam .

And als full worthy men mony ar cummyn of the traytouris of Troye ; and als suppose that thai persewit the barnis of Israel, zit thai reffavit Crist in Egipt and nurist him nere vij 3eris, quhen the generacion of the samyn barnis persewit him to the dede, and at the last hangit him . This Gayell and Scota with thair folk past out of Egipt, with grete richeffe and mony schippis, and be the maist force thai war lordis and gentill men that past with thame . And first thai arrivit in Affirik, and remaynit thare xl. 3ere in grete were and vexacion, because that thai decretit to inhabyte void landis, lyke as thai war counseilit be thair Pagane goddis ; tharefore thai turnyt thyme and past the strat of Jupiter, and at the last come in Spanze, and arryvit in Portyngale, quhilk zit has the name of Gayelloure fore fader and is callit Portyng Gayell ; and efter thai come in Navarn, and Wisbayn, and refydit on the ryver of Hyber, quhare Gayell gat on Scota Hyber Scot . quham Gayell, quhen he come to age, fend this Hiber his sone till it that now is callit Ireland ; and he fand it vakand, favand a certane of gyandis quhilkis he destroyit, and inhabyte the land, and callit it efter his moder Scota, Scocia : quhilk zit in all croniclis and storyes is callit Scocia Major, unto the tyme that sum part of us come out of it, inoure Scotland, that now is and inhabyte it and was callit less Scotland ; and than was it that was callit Scocia Major begouth to be callit Ybernia, efter this foresaid Yber Scot . Sa thatoure nacion and our name was foundit, andoure land inhabyte lang tyme before that Troy was destroyit, and lang or Brute was borne . thouch thai maid na nacion quhill lang efter that Brut come inoure Ile that he efter callit Britane, quhilk was never callit Britane bot to the Scottis fee, and nocht be north it . For be north it duelt never Bryton, na it was never subject to na Britonis, na to Romanis, na zit to nane other nacion . Juxta illud .

Scocia Romanis vi, metu, vernula vanis
Non fuit ex evo ; nec fubit imperio .

Sen the first that come out of Mare Scotland in the Less that now is ouris, be the grace of God, was ane callit Rothay ; efter quham is callit senfyne the ile

and the castell of Rosay . and But is callit of Sanct Brandano . Syne come thare ane othir callit Symon Brek and inhabyte in oure Scotland or Brute come in the North partis and the Ilis . Syne come Brut and inhabyte in the fouth partis, and sa remaynit lang tyme, unto the tyme of the Pechtis, that thai come quhilkis war chaffit out of thair land callit Scithia, be a prince of Egipt callit Agenor ; and thai come in xxx schippis, but wommen, and come to Scottis in Ireland, and askit at thame land to duell on . And thai denyit thame, bot thai counsalit thame to pas to oure Ile that was nocht sa inhabyte as thair was . and thai fuld help thame, gif ony wald gaynstand ; and sa thai did . And becaufe thai had na wommen, thai gave thame wedowis and maidinis to mak generacion . sa the lave of the Pechtis come all of the wommen of Scottis blude . And lang tyme efter that thai come in oure Scotland, thai multiplyit gretely, and begouth to contempne oure Scottis that duelt thare before, and thame that come oure to tham . And this was tald to the prince of grete Scotland, and thai war gretly movit thereat . and than the kingis sone, callit Fergus Feradach, tuke a grete powere of Scottis, and come in oure Scotland, and tuke the crown of it, and brocht in the armis of Scotland, and he was the first King of lytill Scotland . Juxta illud .

Albion in terris Rex primus germine Scotis,
 Illorum turmis rubri tulit arma leonis,
 Fergusius fulvo Farchard rugientis in arvo .
 Christum ter centis ter denis prefuit annis .

And senfyne failzeit never kingis in oure Scotland, to this day of his blude rycht lyne down to our Soverane Lord that now is, quhilk God kepe and preserve . na fra Gayell our first king to the said Fergus, quhilk amountis to nere vj skore of Kingis ; na never strangear regnyt on us na has dominacion . Sett Arthure that tyrant maid us were agayne his faith and alye . For before him iiij or v kingis, efter that the Romanis subjectit the Britones, made alye with us for to help thame agayn the Romanis, quhilk we did, and aft had the

victory agayne tham and quhilis had the were . bot we occupiit the Romanis
 fa that we girt thame big twa wallis fra the Eft fee to the Weft fee to kepe
 us fra the Britones that thai fubjectit and we brak thame ay down and flew
 thare Emperour Severus at York, and gaynstude in all, Julius Cefar, Claudius
 and Wafpafiane, quhilk wald have fubjectit us as thai did the Britones . and
 for to tell all the proceff of this it war to lang . Bot this Arthur, nocht
 agaynftanding that we and the Pechtis helpit the Britones to pes, and put
 out the Romanis, than brak he his allye on us and maid were on us a quhile,
 and tuke the realme of Britane fra the rychtwife airis, that was to fay, Mordrede
 and Gawane, quhilkis war Loth of Louthyanis fonys, gottun on ane of Arthuris
 fifteris of full bed ; the quhilk was marryit with the faid Loth or Arthure was
 gottin ; and becaufe that the aire of Britane was maryit with a Scottis man,
 quhen the kynryk vakit, and Arthure was xv zeris ald, thai maid him king,
 be the devilry of Merlin, the quhilk Arthur was gottyn on ane othir mannis
 wyf be the Duk of Cornwell Vter ; and fa was Arthur, fpurius and a huris
 fone, fauf reverence, maid a king, and Mordrede the fone of Loth of Louthiane
 that was rychtwyfe aire, for he was Scottis, and was putt by his rycht . The
 quhilk Mordrede, quhen Arthure was out in his tyrandiis, be all the flatis of
 Britonis and Scottis, was had to London and crownyt for King of Britones,
 and in his rychtwife querele he flew this Arthure, and he him, as the Brute
 fais . And the king of Scotland that than was callit Sorane, fend his oft of
 Scottis men with Mordrede agaynis Arthur a way, be caufe of Mordredis
 rycht, and ane other way be caufe Arthure maid were on him, and brak his
 allye . For fra the Romannis fubject the Britones and nocht us, ever the
 Britones war contrary to us, and wald have put us out of this Ile, or ellis
 fubjectit us as thai war . Bot with the help of God we and the Pechtis
 agaynftud thame fa and the Romanis, that the Romanis war fayne for to
 leve thame, quhen thai and thai had maid were on us iij^e zere . Sa that the
 Britonis war our naturale inmyis unto the tyme that thai maid allye with
 us, quhilk this Arthur brak ; bot efter his dede it was ever zit wele keptit, and
 trew frendfchip to this day . And fekirly thare is mekle thing faid of this

Arthur quhilk is not futh, and bot fenzeit, as thai fay that he flew Frello King of France, and als Lucius the procuratour of Rome : for in his dayis thar was nane fik, as all storyes of France beris witnes ; and fik mony othir befynes ar maid of him, as Maister Walter Mape fenzeit, in his buke of ane callit Lanflot the Lake . And in this cruell were that we and the Pechtis maid in oure defense agayne the Romaynis and Britones, quhen that the Romaynis had left tham, than Wortiger, that falsly usurpit the croun of Britones, quhen he mycht nocht gaynstand us, he callit in his supplee the false Saxones, quhilkis bakkit us mekle, and before Arthure ; the quhilk Saxones has remaynit ever still in this Ile senfyne, and in the tyme of Arthur, and agayne his will . Tharefore it is nocht lyke that he conquest xxx realmys, that in his awin proper realm mycht nocht putt out the Saxonis, quhilkis ever maid him were . And quhen thir Saxones war rutit in the land, and bundyn to the Britones and fuorne fully, thai brak thair faith and raife agayne thame, and at the last put thame out of the land : the procefs of the quhilk war lang for to tell . And efter this thare fell a discord betuix us and the Pechtis, and efter lang were we putt thame uttirly out of the land for ever be our King Kenneth Makalpyne . the quhilk was done vij^o zere fyne, fa remaynit the Saxons in the South, and we in the North ay unto the tyme that the Danys subject the Saxones, and regnyt on thame wele xxx zere . And fyne come William bastard, and put out the Danys and mony of the Saxonis, and haldis the land as zit ; the quhilk of grund rycht fuld be the Kingis of Scotland, be the rycht of Sanct Margaret, the quhilk was Edmound Irnefydis fonis douchter, the quhilk Edmound was undoutit king of Ingland . for futh it is, a bastard may nocht succede the veray airis lyfand . And fa the Pechtis put out be the Scottis, and the Britones be the Saxones, and fyne the Saxones be the Danys, and the Danys be the Bastard . Sa remaynis the Ile now occupyit with the Scottis anerly in Scotland, and with the Normandis and Inglis in Ingland, to this day . And suppose that Scotland was lang vexit with were, be diverse nacionis, that is to fay, Romanes, Britones, Saxones, Danys, Norwais, Gothis, Pechtis, and Inglis, nevertheles

thai war put out ever be Scottis be cruell bataillis and be na morn slepis .
Juxta illud,

Post Britones, Noricos, Dacos, Anglos, quoque Pictos,
Necnon Romanos bellico fudore repulso,
Nobiliter Scoti jus tenuere suum .

Sa that we may say this in veritate, that there is na land, nor 3it nacion, that is nor was fra the begynnyng of the warld, that standis in fredome sa lang tyme, that is to say aughtene hunder zere and mare unconquest or subject till ony strange nacion or king, as we do, bot ever under oure awin King, of oure awin blude, ryght lyne descendand fra oure first King Fergus before said, till him that now regnis, quham God sauff . And gif thir false Inglis wald say that sumtyme oure Kingis obeyit to the Inglis Kingis and maid fewtee, futh it is ; bot nocht for Scotland bot for the landis that thai held of him in Ingland, lyke as the Inglis King held and fuld hald of the King of France his landis that he has and had in France ; and gif ony wald say, that France has standyn langar unconquest, it is well wittyn that Gallia that now is France war lang tyme tributaris to Romaynes ; and thare was diverse kingis of thame . And fyne come the Franckis and optenyt Gallia, bot within this a 100. zere the story hereof war lang to reherse, and of all othir nacionis thaire subjection the conquest the changeing of kingis as the Cronyclis can schaw in thame self . And of this xviiiij^o zere that we have regnyt in this land, we wer never iij^o zeris in verray pes, bot ay preffit and perfewit with thir nacionis foresaid, and 3it langest with thir Normandis now calland tham Inglis, and thair land callit Anglia fra a contree of Almane in Saxone callit Angulus, of the quhilk sum tyme thai war callit Anglici, or Angli ab Angulo . Now, Veritas non querit Angulos nec Anglos, tharefore may thai never be trew that come de Angulo ; and now the Normannis has tane thair name and thair falskede togidder, and na wonder is . for thair King is cummyn doun ryght lyne fra the Devill lyke as thair awin Cronycle of Ingland, callit Policronicon, beris witnes . For Henricus the second that

flew Sanct Thomas of Canterbury that was the Empericis sone, the quhilk Emperice was weddit to the Erle of Dagan, and he gat on hir this Henry the tyrane; the quhilk Erle was bot the secund fra the Devill; and all the kingis senfyne ar cummyn of him. The procefs and the maner hereof I leve for lenth of tyme. And in the samyn Cronycle of England, he fais, that this samyn Henricus, quhen he was zong, and nurist in the King of Franchis court, Sanct Bernard prophecied of him sayand. A Dyabolo existi, et ad Dyabolum ibis. And suppose thai mak lesyngis oft tymes of us, in thair collacions, zit at the leste it that thair awin Cronycle beris witnes, we may say semys suth; and nocht anerly this, bot mony other hundreth diverse thingis, quhilkis war to lang to wryte in a piftil. This is the nature of Inglifmen quhar ever thai mak straytest oblißing of faith and pes, thai dislave thame ereft, for sekerly thay kepe never faith langer than thai may se ane opyn tyme of advantage to chape, and coveris thame with thair dedis with fophistry, and excusit with fengeit falsehede and false colouris. And this did thai ever till us all tymes bygane, bot that fuld thai nocht have done and thai had been trew. for we gave thame first faith Cristyndome and doctrine of the Kirk, for we war cristnyt before thame nere iiij^e 3eris. Juxta illud,

Christi tranfactis tribus annis atque ducentis,
Scocia Catholicam cepit inire fidem.

And for all this thai kepe till us the kyndenes that thai schaw. And in revengeance of thair falsnes, a king of Scotland callit Gregor subjectit thame to the water of Themes, mare than xxx 3ere, as thair awin Croniclar fais, Willielmus Malburrenfis:

Magna pars Danis, fed pars et maxima Scotis,
Et pars Alfredo Regi fed parva remansit.

Et hec de hac Epistola.

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¹
 per annum et dimedium, et obiit virgo sine prole, et sic dictus comitatus reuertebatur ad primas sorores Johannam et Matildam, quequidem Johanna foror senior nupta fuit domino Freskino ut supra notatum est: In quorum omnium testimonium premifforum, et ad memoriam futurorum, figillum meum presentibus est appensum, apud Scarinelath, septimo die mensis Augusti anno domini millesimo tricentesimo septuagesimo tercio etc .

DE JOHANNE BALLIALO, ETC.

ANNO Domini Millesimo cc^{mo} lxxxj^o obiit Margareta filia regis Norowegie et heres Scocie . Anno M^o cc^{mo} lxxxij^o primo kal. Decembris dominus Johannes [de] Ballialo creatus est in Regem Scocie, per Regem Anglie Eduardum, in festo sancti Andree apostoli; et eodem anno in festo sancti Stephani, fecit homagium prefato Regi apud Nouum Castrum . Item anno M^o cc^{mo} nonagesimo quarto Walenses mouerunt guerram contra Angliam, et eodem anno Rex Scocie Johannes [de] Ballialo negavit Eduardo Regi Anglie potenciam et subsidium ad debellandum regem Francie Reddendo sibi homagium per se sibi prius factum . Item anno M^o cc^{mo} nonagesimo sexto prefatus Rex Anglie ad aquilonales partes Scocie transiens, compulsus est Johannes [de] Ballialo per prefatum Regem ad pacem dicti Regis venire apud Montrof . Obtento illo rediit et venit apud Berwicum ubi omnes universaliter de Scocia citavit tam clerum quam populum ad faciendum sibi fidelitatem et homagium .

¹ One or more leaves of the MS. are evidently wanting in this place. The Deed, of which the following lines form the conclusion, dated at Scarinelath, (probably Scarinche, a priory in Lewis, one of the Western Islands), 7th August 1373, is not contained in the Manuscript.

SEQUUNTUR NOMINA OMNIUM REGUM SCOTORUM TAM
ANTE INCARNACIONEM QUAM POST, GRADATIM ET
SUCCESSIVE DISCENDENTIUM VSQUE AD JACOBUM
SECUNDUM REGEM SCOTIE.

TEMPORE Pharaonis Bochaonis sub quo Moyfes eduxit populum Ifrael de Egipto, Gathelos quidam Neoli regis filius, natus in Grecia et ut quidam volunt nepos Nembroith, cum filia ejusdem Pharaonis Scota nomine a quo gens Scotorum nuncupatur, ab Egipto exiens propter cladem Egiptiis illatam cum vniuersis fibi adherere volentibus Egipciiis et Grecis mari se contulit, electus a Grecie et Egipti nobilibus qui secum erant in Regem .

Tempore igitur quo filii Ifrael in deserto fuerunt, Gathelos multis iactatus procellis tandem per Aufaga flumen Affricam intrans Numidie quieuit, qua tempore pauco relicta Hispaniam adiit, et super Hiberum flumen ciuitatem condens, et arcem ciuitatem Brigantium nominauit, vbi gens Scotorum multiplicata est valde .

Circa tempus quo Salmon Ruth in uxorem accepit, Gathelos misit filium suum Hiberum, cum Hiemet fratre suo, ad confiderandum Infulam Ybernie, qui eam armata manu vi simul et amicitia cepit, &c.

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Anno Domini viij^o xxxj^o, mortuo Dougallo, Alpinus filius Achaii regis

¹ Several pages of the MS., exhibiting the early and fabulous list of the Kings of Scotland, are here omitted.

statim coronatus est, et regnavit tribus annis, et occisus est in bello a rege Pictorum postquam in bello captus et deditus fuit .

Filius autem Alpini Kennedus successit in regno Scotorum patri suo Alpino anno Domini viij°. xxxiiij, et regnavit iiij annis super Scotos solos, et superatis Pictis regnavit monarcha xvj annis . Et regnare cepit anno regnationis Scotorum in Albion, que nunc Scotia dicitur, M°. c°. lxix . exitus autem eorum de Egipto sub principe Gathelos filio regis Neoli et vxore sua Scota Jj°. iiij°. xlix . de quo sic scribitur metricè .

Primus in Albania fertur regnasse Kenedus,
Filius Alpini, prelia multa gerens .
Expulsis Pictis, regnauerat octo bis annis ;
Atque Forteuioth mortuus ille fuit .

Erat is fortis vir prudens perspicacis ingenii atque bellorum executor audacissimus . Hic quatuor ex causis duxit Pictos e terra tollendos ; primo quia patrem suum post deditionem crudeliter occiderunt ; secundo propter furtum vnus molosi quem nec restituere nec pro eo satisfacere voluerunt sicut dictum est ; tercio quia dixit se probaturum regnum esse suum jure hereditario propter conventionem factam cum Pictis in datione vxorum ; sed quarta causa potissima fuit, quia cum eo tempore in tota Albion insula essent quatuor gentes scilicet Scoti et Picti in ea parte que nunc Scotia dicitur, Saxones et Britanni in ea parte que nunc Anglia dicitur, essentque tres earum gentes Christiane religionis cultrices, scilicet Scoti, Picti, et Britanni, et vna sola infidelis, scilicet gens Saxonum pagana qui nunc Angli dicuntur . Isti Picti rupto federe quod habebant cum Scotis Christianis junxerunt se federe Saxonibus paganis ad internecionem Scotorum et Britonum . Et quidem Deo permitte Britones eiecti sunt de regno suo, paucis exceptis, in Wallia permanentibus sub ditione regis Anglie . Scoti vero Deo eis magis propicio auxiliatore Pictorum regno simul et Scotorum potiuntur pacifice usque in hodiernum diem omni viuento interfecto in regno Pictorum quod secum non

adduxerunt Scoti . Hic Rex Kenedus xij^o regni sui anno sexcies vno die bellum commisit contra Pictos et Saxones et sexcies victor effectus est vnde notandum quod Pictorum reges in Albion regnauerunt lxiij per mille ducentos vij annos . Et iste Kenedus vltimum eorum regem Druftonem commisso grauissimo prelio apud Seonam simulque totam gentem et linguam destruxit .

Anno Domini viij^o. liiij, defuncto Kenedo magno et solempniter celebratis eius obsequiis successit eidem in regno Scotorum Douenaldus frater eius et Alpini filius et regnavit quatuor annis . Cui successit Constantinus primus filius Kenedi magni, et regnavit xvj annis, occisus tandem a Danis commisso grauissimo prelio, quo etiam tempore sanctus Edmundus rex Anglie ab eadem pagana gente Danorum occiditur et martir Deo effectus est .

Anno Domini viij^o. lxxiiij, Constantino defuncto successit ei in regnum Ethus alipes filius magni Kenedy frater Constantini, et vno anno regnavit . Hic propter maximam quam habuit pedum velocitatem dictus est Alipes quasi habens pedes alatos . Quo defuncto, successit eidem in regnum Scotorum Gregorius filius Dongalli Regis, qui apud Seonam coronatus est, anno Domini viij^o. lxxv, et regnavit xvij . Hic primo anno regni sui libertatem concessit ecclesie Scotice et ecclesiasticis personis confirmatam a Johanne Papa octavo Constantino in quinto eius synodo . Iste sibi subiugavit totam Yberniam et pro maiori parte Angliam, quam partim vi, partim clemencia subegit . Huius Gregorii tempore floruit Johannes Scotus qui, rogatu Karoli Calui, Ierarchiam Dionisii Arriopagite de Greco uerbum e verbo transtulit in Latinum ; sed postea in Anglia apud monasterium Malmisberienſe stiliis puerorum quos docendos susceperat confossus martir effectus est .

Defuncto Gregorio successit in regno Scotorum Donaldus filius Constantini anno domini viij^o. lxxxxiij, et regnavit annis xj, et defunctus est apud Fores .

Constantinus secundus filius Hethi alipedis Donaldo mortuo succedens anno Domini ix°. iij, in regem coronatus apud Sconam, regnavit xl annis, qui xvj° regni sui anno dedit Eugenio filio Donaldi successori sibi sperato; qui tamen ante ipsum Constantinum defunctus est, totam Cumbrie regionem quoadusque regni diadema post eius mortem fuerit obtentus, ac ut eo coronato suus heres proximus ad idem succederet, et quod sic semper de vno herede in alium fieret, instituit .

Huius tempore commissum est grauissimum bellum de Bronyngis felde . Hic divina gracia inspirante xl^{mo} anno regni sui sponte regno dimisso, religionem intrat apud Sanctum Andream, Kelledeorum abbas effectus, et annis quinque superuixit .

Anno Domini ix°. xliij°, Constantinus diuine miseracionis gracia inspirante, sede regia se euacuans, Malcolmo primo filio Donaldi locum regnandi dedit, qui coronatus regnavit annis ix. cui Eadmundus rex Anglie totam Cumbriam pro amicitia seruanda contra Danos tradidit inperpetuum sub fide jurata possidendam . Decretumque est inter reges et regna Scocie et Anglie quod temporibus futuris pro bono pacis Scocie et Anglie ut heres regis Scotorum pro tempore existens homagium regi Anglie prestaret pro regione Cumbrie quam perpetuo possederunt .

Malcolmo defuncto successit Indulfus, filius Constantini filii Hethi alipedis, et regnare cepit anno Domini ix°. lij, et regnavit ix annis; habuitque bellum maximum contra Danos, contra quos viriliter se defendendo spiculo transfixus capud diem clausit extremum .

Indulfo sic defuncto successit in regno Scotorum Duffus filius Malcolmi anno Domini ix°. lxj, et regnavit quatuor annis et sex mensibus, qui fuit vir columbine simplicitatis, pacem diligens, sed rebellum predonum et latronum seuerus vltor terribilis et cruentus . Hic cum fuit occisus proditorie a

Morauiensibus et corpus eius absconditum: sed sol radios non emisit super terram quousque repertum est corpus eius, et in sepulcris patrum collocatum: unde de eo metricè dignum.

Quatuor et semis Rex Duff regnavit ariftis,
 Malcolmo natus, regia jura tenens .
 Hunc interfecit gens perfida Morauiensis,
 Cuius erat gladiis cefus in urbe Fores .
 Sol abdit radios, ipfo fub ponte latente,
 Quo fuit absconfus, quique repertus erat .

Anno Domini ix°. lxy, Culenus filius Indulfi Regis mortuo Duffo in regem fufceptus, et regnavit iiij annis et fex menfibus; ad regni vero regimen per omnia vir inutilis nichil enim regale aut memoria dignum in diebus eius gefum eft, nifi quod propter flagicia fua plurima ab infidiantibus occifus eft .

Anno Domini ix°. lxx°, mortuo Culeno Kenedus fecundus Malcolmi filius frater regis Duffi regnare cepit et regnavit annis xxiiij et menfibus nouem . Omnibus diebus fuis pacem habuit, ftatimque regno adepto Malcolmum filium Duffi fucefforem regem Cumbrie ordinavit . In diebus eius ftatutum eft, ut regi ex hac vita difcedenti fuperftes fanguine proximus fuccedere deberet licet infans vnus diei: cum dicatur etas regis in fide fubditorum confiftere, quanquam ufque ad illa tempora femper propinquior de fanguine regis qui ad virilem etatem peruenerat regnauerit, nichil tamen contra ftatutum fuum futuris temporibus, hec confuetudo valeret . Unde ex hoc grauiter indignati multi comitiflam de Anguf ut regem perderet proditorie infligant; ficque mulieris prodicione arteque nephanda interemptus eft .

Post Kenethi Regis mortem Conftantinus tercius caluus filius Culeni regnum inuafit, defpecta publica conftitucione predicta anno Domini ix°. xciiij . In

diebus eius facta est incolarum diuisio, plebium strages, turbacio magnatum, miseranda cedesque multorum, et effusio sanguinis innocentum . Et sic male arreptum tenuit regnum per annum cum dimedio, et occisus est commisso prelio in Laudonia .

Anno Domini ix^o xcvi mortuo Constantino caluo, regnum Scotorum inuasit Grym filius Kyneduf eo jure quo predecessor suus; et multiplicata sunt mala in regno Scocie regnante eo, et regnavit octo annis quibus regnicolarum dampna increuerunt valide . Tandem occisus est commisso bello cum Malcolmo legitimo regni herede et filio Kenedi Regis .

Victoria potitus Malcolmus non sibi statim Regis nomen assumpsit, sed conuocatis regni principibus coronam regni ab eis sibi dari, si jura permetterent, alias non petiit humiliter . At illi regie successione legem diebus patris sui statutam per omnia ratam habentes ipsum regem legitimum pronunciant et coronant; et regnare cepit anno Domini millesimo quarto, et regnavit feliciter annis xxx^{ta} . Hic apud Scotos rex victoriosissimus fuisse perhibetur, quia nusquam ab inimicis victus est . Anno regni sui septimo gracia Dei inspirante de prediis sibi a Deo collatis nouam sedem Episcopalem constituit apud Murthelach et nunc dicitur Abirdonensis . Hic etiam Rex mire fuit liberalitatis siue prodigalitatis quia cum omnes terras regias et redditus inter nobiles regni ac suos milites distribuisset nichil sibi retinendo, petiit ab eis sibi prouideri unde sue maiestatis regie honestas decusque poterit sustentari, et ut imbecillis plebs contribucionis graui onere non deprimeretur . Ac tunc tam a nobilibus quam plebe constitutum est, ut cunctorum nobilium libere tenencium cuiuscunque status sint heredes cum terris et dominiis in custodia regis essent usque vicesimum annum vnacum maritagiis cuiuscunque libere tenentis . Hic xxx anno regni sui letaliter a proditoribus vulneratus, quos tamen ipse prius vicerat, ex hac luce migravit .

Sepulto Malcolmo victoriosissimo rege cum patribus, Duncanus nepos eius ex filia Beatrice et patre Abthano de Dow, regis dyadema fuscipiens, regnare cepit anno Domini M°. xxxiiij, et sex annis regnavit; occisus tandem a Machabeda proditorie, qui Machabeda expulsis legitimis heredibus regni videlicet Malcolmo Canmor et Duncano Ban filiis dicti Duncani regis, in regno Scotorum se violenter intrudens regnare cepit anno Domini m° xl°. Malcolmus filius regis et legitimus heres regni apud Edwardum regem Anglie gratanter receptus est. Donaldus frater eius in infulis se servavit. Hic Machabeda multos nobiles in diebus suis, veritus ne legitimi aliquando heredes ad regnum redirent, exulare coegit; et inter ceteros Makduff Thanum siue Comitem de Fyf, confiscatis eorum prediis bonisque omnibus circa annum regni fui xv.

Circa annum Domini M° liiij. Thanus siue Comes de Fyf Makduf adiuit Malcolmum legitimum heredem regni Scocie in Anglia suadens ei redditum ad regnum multis rationibus; quod cum Malcolmo placeret, dissimulans, Tamen ait, priuata inquit vita michi aptius conuenire videtur quam regia dignitas cum sim vir nullius continencie sed lubricus totus et luxuriosus. At Makduf inquit, Puellarum copiam Scocia nutrit; habebis quot volueris. Aliud grauius me vrget, inquit Malcolmus, ardentis auaricie igne succensus cum aliter non liceat rapina furtoue quodlibet optinere mihi licere videtur. At Makduf, Regno inquit potitus auri gemmarum ceterorumque jocalium omnium opulenciam habens plura defines concupiscere. At tercio Malcolmus, Dolofus inquit sum nulli fidem seruans. Quo audito Makduf velud spiculo confossus profunde suspirans ait, Ve nobis miseris Scotis quibus vnum de tribus malis est eligendum, aut amissis omnibus temporalibus exilium perpetuum subire, aut tyranno execrabili terrore deferuire, aut tibi qui propria confessione indignum te regis nomine profiteris. Sed nec tu, inquit, nec tirannus ille mei dominabitur: exilium eligo: et erumpentibus lacrimis, pugnis collisis, versus boriam quo Scocia sita erat respiciens, alto gemitu cordis lamentando ait, Valeas O Scocia natale solum pro perpetuo. Tunc Mal-

colmus recedentem Makduff blande reuocat dicens, Verebar ne tu sicut alii prius in meam perniciem reditum persuaderes . Nunc quia intelligo te dolositatem detestari, ecce vado tecum erisque michi secundus in regno, sed nec lubricum nec auarum aut dolosum recognosces . Sed tu procedere, nuncia amicis meum aduentum instare ; ego confestim sequar . Processit Makduff, et Malcolmus assumptis Anglicis qui secum ire vellent venit ad Scociam, vbi Makduff cum plurimis amicorum turmis prestolabantur congratulabantur eius aduentui : statimque exercitus tyranni Makabede minui cepit, et Malcolmi crescere ; quem Malcolmus ultra montes infecutus usque Lumfannan et ibi commisso prelio, eum interfecit anno Domini M° lvj° quinto die Decembris . Sed non multo post, Lulach Machabede confortatus volens succedere in regno in sede regali positus est apud Sconam, qui post quatuor menses occisus est, apud Esse prouincie Strabolgy, anno Domini M° lvij° tercio die mensis Aprilis ebdomada pasche feria quinta . Et eodem mense Aprili die sancti Marci anno eodem coronatus est Rex Malcolmus et triginta sex annis regnavit . Ultimo anno regni sui fundauit nouam ecclesiam Dunelmensem, et ecclesiam sancte trinitatis de Dunfermlyn, et multis refecit donariis . Nupsit autem sanctissime ac religiosissime mulieri beate videlicet Margarete filie regis Edwardi Regis Anglie, genuitque ex ea sex filios quorum tres ante patrem defuncti, alii tres successiue regnauerunt . Ipse Malcolmus in obsidendo Castrum de Awnwik occisus est xij die Nouembris ; et gloriosa illa ac omni tempore recolenda Regina Margareta, quarto die sequenti, perceptis in ecclesia sacramentis ecclesiasticis, animam sanctam celo reddidit .

Anno Domini M° xcij, defuncto Malcolmo inclitissimo Scotorum rege, in regno se intrusit Donaldus Bane frater dicti Malcolmi, et regnavit sex mensibus ; sed expulsus est de regno per Duncanum filium notum ipsius Malcolmi, qui et ipse regnavit anno et sex mensibus, et sic occisus est insidiis dicti Donaldi Bane, quem ipse prius expulerat de regno ; et rursus regnavit Donaldus tribus annis : sicque hii duo male regnauerunt quinque annis .

Cum isto Donaldo congressus est Edgarus filius Malcolmi predicti senior, et legitimus heres regni Scocie, et regnavit ix annis et tribus mensibus; qui fundavit prioratum de Coldynghame, et sic viam vniuerse carnis ingressus est apud Edynburgh .

Anno Domini M° c . vij . mortuo sine liberis Edgardo, successit Alexander frater eius, et regnavit xvij annis: vir per omnia Deo deuotus, clericis et religiosis mitis et clemens, sed subditis aliis satis terribilis, circa pauperes liberalis . Ecclesiam de Dunfermlyn a patre et matre fundatam donariis et possessionibus ampliavit . Tria monasteria nigrorum canonicorum fundavit de nouo, scilicet monasterium de Scona et de Sancto Andrea in qua prius erant Kelledei, et monasterium de Emonia Sancti Columbe abbatis; restituitque canonicis Sancti Andree cursum apri prius tempore Kelledeorum ablatum . Iste igitur Alexander rex etate et sensibus integer quo nemo deuocior in ecclesiasticos in extraneos munificentior, in malefactores seuerior, in bonos omnes mansuecior, anno Domini M° cxxiiij viij kal . Maii . debitum vniuerse carnis persoluens, spiritum celo reddidit, sepultus apud Dunfermlyn prope patrem .

Anno Domini M° c . xxiiij Alexandro sine liberis translato, successit ei Dauid frater eius iunior natus, et regnavit annis xxix mensibus duobus et tribus diebus . De istis tribus regibus et fratribus mira leguntur sanctitatis preconio collaudari . Nam preter victus parcitatem, elemosinarum copiam, et orationum assiduitatem, ita domesticum regibus vicium euicerunt ut nunquam feminam in eorum thalamos nisi legitimas vxores fuisse, nec eorum quenquam pelicatu aliquo pudicitiam contristasse legatur . Iste Dauid habuit in matrimonio Matildam filiam et heredem Waldefi comitis de Huntyngtoun filii et heredis Swardi comitis de Northumbria, habuitque bellum cum Stephano rege Anglie; sed tandem concordatum est quod Henricus filius et heres apparens huius Dauid homagium faceret regi Anglie pro comitatu de Huntyngtoun et comitatu Northumbrie libere

possideret . Iste Henricus mortuus est ante patrem relinquens tres filios superstites scilicet Malcolmum, Wilelmum, et Daud . Iste Daud rex inuenit in toto regno Scotorum nisi quatuor episcopatus, et reliquit nouem, monasteria multa fundauit diuerforum Ordinum, uidelicet de Calco, de Melros, de Jedwod, de Newbotill, Holmcultrom, Dundranan, monasterium Sancte Crucis prope Edynburgh, Cambuskeneth, Ryeuall, Kynlos, et iuxta Berwyk Monialium et aliud iuxta Carlioli, et canonicos Premonstratenses de Dryburgh, Noui Castelli, et ibi monasterium Monialium et aliud Nigrorum canonicorum . Completisque in regno xxix annis, commendauit Malcolmum nepotem suum legiis suis regni successore esse debere et alterum nepotem Wilelmum comitem Northumbrie . Ipse vero grandeuus et infirmitate graui depreffus apud Carliel feliciter moriens, corpus terre spiritum celo reddidit angelis fociandum; sepelitur in Dunfermlyne apud patrem et fratrem etc .

Anno Domini M° c. liij . Malcolmus filius Henrici filii Daud regis defuncti, defuncto et patre suo Henrico, successit in regnum Scotorum . Iste Malcolmus cum regnare cepit decimum tertium annum gerens, ac posteaque pubescens exoratus a suis nubere renuit, quia uouens Deo castitatem in pura uirginitatis pudicia permanebat, vni viro se uirginem castum exhibere Christo professus est, sicque completis in regno xij annis septem mensibus et tribus diebus hominem exuens angelis fociandus, regnum non amisit sed mutauit .

Anno Domini M° c. lxxv . Malcolmo uirgine defuncto successit Willelmus frater eius, qui propter uite et morum probitatem dictus est Amicus Dei, leo iusticie et decus morum apud Scotos . Et anno Domini M° clxxviij fundauit monasterium de Abbirbrothok et mater eius Ada fundauit monasterium monialium de Hadyngtoun . Captus est autem x . anno regni sui prodicione Anglorum, et xx anno liberatus, recepit denuo a rege Anglie comitatum de Huntyngtoun et Northumbrie Westmurlandiam et Cummerlandiam et

ciuitatem Carlioli que prius ab eo extorsa; ac pro eius redempcione Castrum Puellarum scilicet et omnia alia quecunque ablata erant omnia sunt restituta . Huius illustrissimi regis Willelmi famam audiens Papa Lucius et deuocionem erga fedem apostolicam per abbates de Calco et Melros ambaciatores regis, et in redditu nuncios apostolicos rosam auream preciosam miro artificio laboratam uirga aurea siue ceptro regali erectam orthodoxo sibi et Catholico ecclesie filio regi Willelmo cum paterna benedictione remisit . Hic xlix^o anno regni sui rebus cessit humanis apud Striuelyn defunctus, et apud monasterium de Abbirbrothoc quod ipse prius fundauerat sepultus est .

Anno Domini M^o cc . xiiij mortuo magnifico rege Willelmo cum magna leticia trium statuum regni, coronatus est Alexander secundus dicti regis Willelmi filius optime indolis adolescens xvj annorum . Iste tercio anno regni sui inuito rege Anglie Johanne, venit per Angliam usque Dovor, et ibidem moram trahens per quindenam cum Lodovico rege Francie de arduis negociis Scocie Francie et Anglie tractauit cum eodem . Interim Johanne rege Anglie destruente pontes vada et passagia fluminis de Tarent ne rex Scotorum liberum ad propria haberet regressum . Sed disponente Deo idem rex Anglie veneno periit per suos ante congressum et exercitus eius fugatus est . Rex autem Scocie tulit omnes gasas et armamenta bellica regis Anglie, et cum gloria magna diuiciis quam plurimis potitus reuersus est in regnum Scocie . Et fundauit cum matre monasteria de Balmurynoch, de Plusqwarty, et de Bewlyn, et Ardcathan . Pacem iusticiam et veritatem semper dilexit, et anno regni sui xxxv componendo pacem cum Ergadien-sibus graui infirmitate correptus defunctus est in Christo et sepultus apud Melros .

Anno Domini M^o cc . xlix defuncto Alexandro secundo rege Scotorum successit Alexander tercius filius eius puer octo annorum . Hic maximam victoriam habuit de Norwagensibus occisis in vno [prelio] xx millibus et

contractis centum lx^a nauibus : regnavit annis xxxvij . Omnibus diebus fuis floruit Christi ecclesia, sacerdotes venerabantur, iusticia et virtus regnabant, sed subito apud Kyngorn defunctus est ; de corpore suo nullum relinquens successorem preter vnicam filiam filie sue Margarete regine Norwegie Margaretam nomine, que cum effet desponsata Edwardo apparenti heredi regis Anglie ante contractum matrimonium carne soluta est . Tuncque orta est discensio non minima inter proceres regni de jure successione regie . Nam Johannes de Baliolo seipsum dicebat ad regnum proximum heredem, quia de Dornagilla maiore natu filia David comitis de Huntyngtoun et fratris Willemi regis . E contra Robertus Bruce dicebat se ad regnum preferendum, quia quamvis de Yfobella secunda filia dicti processit, primus tamen masculus fuit et vno gradu propinquior, nam nepos ex filia dicti David fuit et dictus Johannes pronepos eiusdem .

Anno Domini M^o cc. lxxxvj . Alexandro tercio rege Scotorum defuncto, per sex annos et ix menses regnum a custodibus regebatur sex numero, qui interim electi erant ad custodiendum pacem et iusticiam in regno donec determinaretur questio de successione regis . Sicque factum est per sex annos et nouem menses . Tandem anno Domini M^o cc. xcij ultimo die Nouembris Johannes de Baliolo erectus est in regem et coronatus, procurante rege Anglie Edwardo tiranno qui apud Scotos vocatus est Langshankis, non quia ad regnum potiora jura habuit, sed quia cecatus ambitione regni homagium facere promisit dicto Edwardo, contra regni libertatem, et consuetudinem predecessorum suorum, in dedecus magnum regalis status inperpetuum inuitisque omnibus regni proceribus : quem rex Anglie quarto anno sequenti depriuauit honore regio, completis in regno tribus annis cum dimedio .

Anno Domini M. cc. lxxxvj . Edwardus Rex Anglie misit exercitum magnum ad obsedendum villam de Berwik, et xxvij naues onustas armatis, et resistentibus Scotis, omnes naues combuste sunt et maior pars hominum interfecta . Sed anno sequenti venit idem Rex cum maiore exercitu et in

persona propria, et facta obfisione, cum per longa tempora villam vi capere non possit, finxit se uelle recedere, remouit tentoria, et regirans cum exercitu montem de Halidon fixit signa bellica regis Scotorum et nobilium eius, quibus erectis iterum venit ad villam. Videntes autem in villa erant vexillum et signa bellica gentis sue putantesque exercitum Scotorum, quia per aliam viam aduenerant, aperiunt portas, intrant Anglici. statim cognita fraude resistere volentes non valuerunt; sic dolose capitur villa, vbi iussit tyrannus omnes vtriusque sexus et etatis torculari, vbi occisi sunt vij^m quingenti. Facta sunt hec quarto kal. Aprilis scilicet feria sexta in parascheue Domini. Eodem anno Willelmus de Kyngorn vicarius generalis Episcopi Sancti Andree in remotis agentis eiecit omnes Anglicos de regno Scocie. Cuius eiectionis executor fuit inclitus ille Willelmus Wallace: contra quem misit rex Anglie Hugonem Craffynghame thesaurarium suum cum magno exercitu; sed apud pontem de Stryuelyng occisus est idem thesaurarius a predicto Willelmo. Iterum idem Rex Anglie venit furens ob cedem fuorum et Scotorum sanguinem fitiens. Cui obuius venit Willelmus Wallace in Anglia apud Stanemure, vbi ordinatis aciebus Scotorum et Anglicorum hinc et inde cum jam putarentur congressioni proximi, Rex Anglie videns Scotos paratos pugnare pro animabus et ordinate procedere, regirans exercitum suum terga dans Scotis ignominiose retrocessit. Mira Dei virtus et gracia Scotis ibidem illuxit, vbi tantus Rex tanto apparatu et exercitu cum satrapis suis suffultus contra tam paucos quos pene nullos reputabat, nullo extracto gladio terga dedit. Scotis autem visum est Anglos non insequentes fore sed contentos esse debere de victoria sibi a Deo collata, et sic gracias agentes Deo reuerfi sunt prospere in Scociam, predam omnem in via secum auferentes.

Anno Domini M^o ccc iij. Rex Anglie cum maxima potencia terre sue, cum principe Wallie Vasconie Normannie et Ybernie, tam per mare quam per terram Scociam intrat, et vniuersum regnum acephalum inuadit, vbi omnes nobiles communitates et plebeos ad suam coegit obedienciam, resistentibus occisis et eorum bonis confiscatis, solo Willelmo Wallas resistente cum sibi

adherentibus; tunc Roberto de Bruce legitimo regni fucceffore in terris quas in Anglia habebat moram trahente et quasi dormiente . Sed paulo post fpiritu diuino ipfum tangente et euigellare faciente, facta eft mutacio dextre excelfi et adiuuantibus eum amicis, velud alter Mathathyas, cum effet proximus heres regni pro cuius libertate et legibus onera importabilia propriis humeris impofuit, infurgendo contra Regem potentiffimum Anglie, ducem Normannie Equitanie et Andegauie dominum Ybernie et Wallie, et fupra hec inuaforem et quasi triennalem occupatorem regni Scocie, exceptis amicis et propinquis fuis qui reliquis numero comparari non poterant . Unde anno Domini M°. ccc. vj, coronatus eft idem Robertus Bruce apud Sconam vj kal. Aprilis . Cuius infortunia, fugas, pericula, dampna, tedia, famem, fitim, vigelias, jejunia, nuditates, frigora, infidias, exilia propinquorum ut regine et germanorum fratrum capciones et incarcerationes occiffionesque quibus in principio guerre fue victus fugatusque vbique fuccubuit, nullam puto ad narrandum fufficere linguam . Nam biennio toto diuerfis locis contra diuerfos regis Anglie locum tenentes dimicans fuperatus eft . Sed mira Dei clemencia postmodum illuxit Scotorum regi, et ficut in duobus eius primis annis in omni euentu bellico infortunatiffimus fuerit, ita poftea in omnibus bellis fuis nullus ei fortunacior potuit inueniri . Nam primis diebus in conflictibus contra Anglicos xij vicibus legitur fuccubuiffe deuictus . Sed poftmodum victoriosos triumphos de Anglis legitur habuiffe lvij. vnde de multis eis victoriis vnum libet ad memoriam reducere, fcilicet quomodo vicerit ad Bannocburn prope Streue-lyng, vbi ex confenfu vtriusque regis Scotorum et Anglie dies belli prefixus eft, anno fequenti in fefto Sancti Johannis Baptifte fcilicet anno Domini M°. ccc.xiiij . Quo die comparuit Rex Anglie cum trecentis millibus pugnatorem exceptis peditibus . Et rex Scotorum cum xxx. millibus vbi Deo propicio ceffit victoria Scotis . Rex autem Anglie fugatus de prelio ufque Dunbar castrum fortiffimum per millia circiter xl. et de Dunbar in parua nauicula cum octo tantum comitibus manus Scotorum perfequentium fe euafit . Rex autem Robertus confortatus ufque ad finem vite permanfit

victoriosus, regnavit annis xxiiij. et defunctus sepultus est apud Dunfermlyn vij idus Junii .

Anno Domini M°. ccc. xxix defuncto Roberto de Bruce rege Scotorum inclitissimo, fuit idem regnum in custodia Thome Ranulfi comitis Morauie et nepotis ex sorore dicti Roberti regis usque ad coronacionem David filii dicti Regis Roberti . Qui David vnctus et coronatus est in regem anno Domini M°. ccc. xxxj, viij kal. Decembris ab Episcopo Sancti Andree juvenis octo annorum . Et anno sequenti venit Edwardus de Balliolo in Scociam et viij kal. Octobris coronam regni more suo suscepit propter quod Rex David apud regem Francie per octo annos et ultra perhendinauit . Sed post regreßus ad Scociam cum leticia et honore maximis receptus est, expulso prius eodem Edwardo . Sed iterum idem Rex David captus est ab Anglis in bello prope Durhame et per annos xj. in Anglia detentus, tandem tamen liberatus est datis prius pro redempcione sua centum millibus mercarum sterlingorum . Restitutus in regno Rex David regnum optimis legibus innouavit, rebelles secundum iusticiam castigando satis austere . Tandem Dei gracia inspirante animo concepit toto adnifu ad domandam paganorum feritatem terram sanctam esse petendam, vnde cum spectabili potencia militari Jerusalem visitare decreuit . Decretumque perfecisset, si non voluntate diuina morte fuisset preuentus . Mortuus est igitur inclitissimus Rex David secundus rex Scotorum apud Castrum de Edynburgh anno Domini M°. ccc. lxx in cathedra Sancti Petri regni sui anno xxxix° etatis sue anno xlvij° et sepultus est in Monasterio Sancte Crucis de Edinburgh .

Post mortem Regis David secundi coronatus est Robertus secundus, senescallus Scocie nepos dicti David ex sorore secundum patrie leges in festo annunciationis beate Virginis . Iste primam confederacionem cum rege Francorum factam renouavit ampliauitque, quam eciam auctoritate apostolica fecit confirmari . Eius tempore plurima exstiterunt preclare gesta contra Anglicos

precipue magna victoria de Ottirburn . Et anno Domini M^o. ccc. lxxxix grandeuus admodum effectus quia filius eius primogenitus Johannes claudus effectus erat, filium suum secundo genitum Robertum ducem Albanie et comitem de Fyf, regni Scocie custodem effecit, vocans eum gubernatorem . Itaque propter crebras victorias contra Anglos pacem ipsis Anglis desiderantibus concedens, regnum in magna tranquillitate relinquens presentis vite finem fortitus est apud Dundonald, sepultus in Scona xij kal. Maii anno Domini M^o.ccc.xc^o. Et sic regnauit xix annis et xxij diebus .

Mortuo et sepulto Roberto secundo rege, et regno sub tutela Roberti ducis Albanie et gubernatoris anno regni M^o. ccc. xc . Johannes primogenitus eiusdem Roberti secundi regio more vinctus et coronatus est et de consensu trium statuum vocatus est Robertus tercius, cuius primogenitus Dauid dux de Rothefay adultus de magna infolencia accusatus est apud regem patrem suum ; qui misit litteras fratri suo gubernatori ut eum custodie manciparet pro castigacione . Qui captus ab auunculo suo et positus in castro de Falkland in breui tempore spiritum exalauit . Cuius morte audita Rex pater contristatus valde timensque vnico filio superstiti Jacobo, disposuit eum regi Francorum mittendum ; qui iuuenis xiiij annorum in mari captus est ab Anglis treugarum tempore, ubi per xvij annos custoditus est . Ut autem nunciatum est Regi patri suo vnicum filium ab inimicis captum continuo defecit spiritus eius, vigorque corporis emarcuit, et pre nimia tristitia cibum non sumpsit donec Creatori spiritum reddidit, anno Domini M^o. cccc. iij, et sic regnauit annis xvj .

Anno Domini M. cccc. iij, Robertus dux Albanie, Roberto tercio rege defuncto et vnico filio suo Jacobo in Anglia captivo, Gubernator Scocie a tribus statibus rursus eligitur, et regnum in optima pace conseruans, obiit anno Domini M^o. cccc. xix tercio die Septembris : post cuius mortem filius eius primogenitus Murdacus nomine stetit gubernator regni Scotorum quasi per iij annos, usque ad liberationem regis Jacobi de Anglia : qui Gubernator satis remissus erat in factis suis .

Anno Domini M°. cccc. xxiiij circa dominicam in passione, Jacobus primus legitimus heres regni Scotorum, liber de captiuitate Anglorum effectus, [rediit] ducens secum Johannam sponsam suam filiam merchionis de Dorset et comitis de Summerfet, et xxj die Maii ipse rex et regina apud Sconam coronantur cum solempnitate et honore debito . Iste fundauit monasterium monachorum Cartusienfis ordinis in Valle Virtutum prope Perth sic nominatum, et filiam suam primogenitam matrimonio copulari fecit primogenito Regis Francie . Et tandem edificatis castellis palaciis et multis aliis locis, incolis in optima pace degentibus, proditiose interfectus est a suis in monasterio fratrum predicatorum de Perth, et sepultus in ecclesia Cartusienfi quam ipse fundauit . Et omnes eius interfectores capti sunt, post equos tracti, suspensi et demembrati sunt .

DIPLOMA
OF
THOMAS, BISHOP OF ORKNEY AND ZETLAND,
AND THE CHAPTER OF KIRKWALL,
ADDRESSED TO
ERIC KING OF NORWAY,
RESPECTING THE GENEALOGY OF WILLIAM SAINT CLAIR,
EARL OF ORKNEY.

THE following Genealogical document is not altogether unknown. It was first published by Wallace in his Account of the Orkney Islands, 1700, from whence it was copied by the Editor of the Orkneyinga Saga, 1780, and by the Reverend Dr George Barry, in his History of the Orkney Islands, 1805. The manuscript from which it was taken by Wallace, as already described at page 27, is now in the possession of LORD PANMURE.

There is also added, the translation of this document, which was made at the instance of William Saint Clair, Baron of Roslin, by Dean Thomas Guild, Monk of Newbottle, in the year 1554. This translation occurs at the end of a manuscript volume, which had belonged to the Sinclairs of Roslin, and is now preserved in the Library at Abbotsford.

Henry, eldest son of Sir William Saint Clair of Roslin, and Isabel, daughter and co-heiress of Malise, Earl of Strathern, Caithness, and Orkney, had his claim to the Earldom of Orkney admitted, in 1379, by Hakon VI. King of Norway. He died about the year 1400. His son Henry, second Earl of Orkney, and Admiral of Scotland, had deceased in 1418, and was succeeded by William, third Earl. To ascertain the right of succession which he claimed, Eric King of Norway caused the investigation to be made, the result of which is exhibited in the following Diploma. There is some discrepancy in its date. It was obviously before the 10th August 1434, when King Eric admitted the Earl's claims, and granted him investiture on the same terms in which it had formerly been obtained by Henry Saint Clair, his grandfather. In Lord Panmure's MS., the date, as originally written, was 1043, and altered in a different hand to 1403, whilst in Guild's translation it is 1406, corrected to 1446. It is most probable that 1433 was the actual date.

William, Earl of Orkney, became Lord Chancellor of Scotland in 1454; and, on the 28th August 1455, he obtained a grant of the Earldom of

Caithness. But after James III. had acquired the Islands of Orkney in pledge of the dowry of the Princess Margaret of Denmark in 1468, William Earl of Orkney resigned his Earldom into the King's hands, and it was annexed to the Crown by an Act of Parliament, 20th February 1471-2. He obtained, in recompense, lands in Fife and other parts of Scotland, and was henceforth styled Earl of Caithness and Lord Sinclair. It was this nobleman who founded the Collegiate Church of Roslin in 1446.

The Abbotsford Manuscript from which Guild's translation is printed, consists of a translation into Scottish prose of three distinct works, by Sir Gilbert Hay, Knight, who flourished about the middle of the fifteenth century. The most interesting portion of the volume has recently been printed for the Abbotsford Club, as a Contribution from Beriah Botfield, Esq., entitled, "The Buke of the Order of Knyghthood, Translated from the French by Sir Gilbert Hay, Knight." Edinburgh, 1847, 4to. This volume also contains selections from Hay's translation of "L'Arbre des Batailles," of Honoré Bonnet, Prior of Salon in Provence, which forms the chief portion of the Abbotsford Manuscript. The Editor, in tracing its history, during the last century, has overlooked the circumstance, that Dr Barry had obtained the loan of the MS. before it came into Sir Walter Scott's possession. His notice of it is as follows :—

"Appendix, No. II. Dean Gule's [Guild's] Translation of the foregoing "DEDUCTION of the ORKNEY COUNTS, transcribed from the Original copy "bound in with Dr BENNET'S Book of Battles, a MS. originally belonging "to the Family of ROSLIN, the Second Page being subscribed by WILLIAM "SINCLAIR OF ROSLIN, at whose Desire the Dean says this Translation was "made. It afterwards fell into the hands of Dr GEORGE MACKENZIE, who, "in the beginning of the Third Volume of his Lives, mentions it at large, "giving us also an Extract from the first part of the following Translation. "The late Mr JAMES MACKENZIE had the MS. from HILDIN, Dr George's "Nephew; which he again gave to the Lord SINCLAIR, who promised to "lodge it in the Advocates' Library, Edinburgh."

DIPLOMA OF THOMAS, BISHOP OF ORKNEY AND ZETLAND, AND THE CHAPTER OF KIRKWALL, ADDRESSED TO ERIC KING OF NORWAY, RESPECTING THE GENEALOGY OF WILLIAM SAINT CLAIR, EARL OF ORKNEY.

QUONIAM inter ceteras huius fluctuantis seculi curas et sollicitudines, pensata temporum, morum ac hominum in hac lacrimarum valle labilitate et breuitate, testante venerabili illo summo Cronographo MARTINO, Domini nostri Pape Penitenciario et Capellano, necesse videtur de congruo extrahere progenitorum, regum, principum et aliorum preclarorum Genealogias, per quas mundus iste transitorius regitur, reges regnant et principes gubernant, signanter que in deductionem et agnitionem veritatis, quo ad eorundem successionem verisimiliter euenire speratur. Illustri ergo et excellentissimo DOMINO NOSTRO, PRINCIPI SUPREMO, NORWEGIE REGI, suisque successoribus, satrapis, patriciis, consulibus et proceribus dicti

VOL. III.

FORTH as witness that venerable and maist he Cronographor MARTIN Penitentiary and Capellane of our Lord the Pape, amongis otheris caris and sollicitudis of this flowand warld, the labilitie and breuitie of tymis maneris and of men in this wale of teiris beand confiderit, it eppericht neidfull to set furth be rycht the Genealogiis of progenitoris, kingis, princis, and of otheris preclare nobles, be the quhilkis this warld transitore is rewlit, kingis regnnis, and princis ar gydit, specialie quhilkis ar belewit to proced maist liklie be deduction and knowlege of the weritie of the succession of tham forsaids . Heirfor TO THE ILLUSTRIE AND MAIST EXCELLENT LORD, OUR PRINCE SUPREME, KING OF NORWEGE, and to his successoris, princes, patriciis, consulis,

I

regni vniuersis THOMAS DEI ET APOSTOLICE SEDIS GRACIA EPISCOPUS ORCADENSIS et ZETLANDIE, Canonici Ecclesie Cathedralis Sancti Magni martiris gloriosissimi; Legefer, ceterique procures, nobiles, populus, ac communitas eiusdem, gracia, pax, caritas, gaudium longanimitas misericordia a Deo Patre omnipotente et a Jhesu Christo in Spiritu Sancto in omnibus vobis, per quem reges regnant, et in cuius manu corda sunt regum, cum omni subiectione, humilitate et obediencia prompti et parati vestram in Jhesu Christi visceribus zelantes et fitientes Salutem in caritate non ficta. Requirentes ut in dicendis in nostra simplicitate, vestra suppleat Regia sublimitas, et quia scimus firmiter et longi temporis spacio, efficax rerum magistra nos experientia docuit, quod in dubium non reuocamus qualiter erga Comites Orcadie, regalis ipsa sublimitas, zelum semper exuberantem exercuit, quamobrem firmam spem gerimus, plenamque fiduciam obtinemus quod illa Regia maiestas uerba nostra benigne recipiat, diligenter intelligat, et effectiue prosequatur, ut infra pectoris claustrum folicite considerare conuenit ipsa regia sinceritas

to all hie parsonis of the said realme THOMAS BE THE GRACE OF GOD AND OF THE SEITT APOSTOLIKE BISCHOP OF ORCADIE AND ZETLANDIE, the Chanonrie of the Cathedrale Kirk of the maist glorious martyre Sanct Mawnis; the Lawleder, and otheris staitlie parsonis nobles, pepill and commonitie of the faming, grace peace and charite, joye, enduring mercie fra the Fader omnipotent and fra Jesu Christ in the Haly Spreite be with zow all, be quhom kingis regnis, and in quhois power ar the hartis of kingis, we prompt and reddie with all subiection, humilite, and obedience, conetand and desyrand zoure weilfaire in the entrels of Jesu Christ with lufe vnsenzeit: Requirand to that zour Kinglie henef, mot mak supple in thingis to be schawin be oure simplicitie, and for that we knaw furlie and be the space of lang tyme experience beand maistres efficient of fuire thingis hes techit ws that thing quhilk we receuit nocht as dowlsum, how that your Regalie henes exercant hes all tymis abundant lufe towart the Eirlis of Orcadie, for quhilk thing we bair fure howp, and obtenis full belewe that zour Kinglie maiestie fell

et diligenter attendere, quod adulatorium vestre Serenitati aliquid non scribimus, quia secundum Petrum Blefensem in suo prologo canentem, "Olei venditores esse non intendimus, sed patefactores veritatis."

Dignum ergo arbitramur pium esse et meritorium, Testimonium perhibere veritati ne veritas occultetur, presertim illa per quam innocenti possit preiudicium generari, et cum uterque reus est qui veritatem occultat . et mendacium dicit, quia ille prodesse non vult iste nocere desiderat, quod a nobis Deus auertat, potissime cum in dicendis per quondam recolendememorie ERICI vestri predecessoris Regis nostri admoniti patentes litteras fuisset testimonium perhibere veritati prout latius in sequentibus patebit . Hinc est quod nos THOMAS EPISCOPUS, Capitulum Canonici, Legifer, ceterique procures, nobiles, populus communitas siue plebei antedicti, coram Deo in fide ac fidelitate quibus vestre Regie magestati tene-

beninglie refaue, diligentlie onderstand, and effectuiſſie.perſequute oure yordis alſwa that zoure Kinglie ſinceritee, as it ſemis to conſider beſilie with in cloſour of breift and diligentlie to tak heide, that we wryt na mater of flattrie to zour Serenitie, for quhy, as Peter Bleſens ſaiis in his prologe, "We intend nocht to be ſellers of wle bot fourthſchawers of the veritie."

Heirfor we beleif it to be worthie godlie and meritable to mak iust witneſſing to the werite that the werite be nocht hide nor ſmurit down, that verite titteſt throw laik of the quhilk preiudice ma be ganerit contrar ane innocent, and quhaire bayth ar giltie he quhilk hidis the waritie, and he quhilk ſaiis ane lee; for quhy, that parſon will nocht profeit, and this parſon deſyris to noye, the quhilk bayth God mot tourn fra ws : for ſamekle we hawe bene moneſt afor tyme be patent writingis of wmquhill ERICUS zour prediceſſor our King of wirſchipfull memorie as to bair witneſſing to the varitie in ſeire thingis to be knawin and ſchawin, lik as ſalbe maid patent at mair lentht in thir writingis following, now fra

mur astricti fideliter attestamur, et ad perpetuam rei memoriam deducimus, fidemque facimus vobis et omnibus presentibus et futuris, Jhesu Chrifiti fidelibus sancte matris Ecclesie filiis in forma et effectu subsequentibus :—

Coram nobis congregatis, compars magnificus et prepotens Dominus, DOMINUS WILLELMUS DE SANCTO CLARO COMES ORCHADIE, DOMINUS LE SINCLARE in ecclesia Sancti Magni martiris in Orcadia propofuit in hunc modum . fupposuit enim quod nobis bene et ad plenum cognita res fuiffet, quoniam magnis retroactis temporibus antecessores fui et progenitores ac ipsi Orcadie Comites iuste ac iudice, inconcusse, linialiter et gradatim jure hereditario Comitatu Orcadie fupradicto fuccesserant, ac illum per tempora magna et longeva, nulla aliena generatione interueniente, quietissime poffederant . Et qualiter diuerse carte, euidencie, instrumenta,

thin it is that we THOMAS Bischof, Chanons of cheptour, Lawledder and otheris staitlie men nobillis pepill and commonite forsaidis befor God, with faith and fidelite, be the quhilkis we ar astrictit to zour Kinglie maiestie, faythfullie attestifies and to perpetuallie memorie deducis and makis faitht to zow and to all otheris presentis and for to cum, faythfulis in Jesu Chrifit sonnis of the haly modir Kirk, in forme and effect as follows :—

In oure presens to gidder affemblit comperand ane magnifit and prepotent lord LORD WILZEM OF SANCT CLARE EIRLE OF ORCHADIE AND LORD OF SINCLAIR in the Cathedrale kirk of Sanct Mawnis martyre in Orchardie hes proponit in this maner . the quhilk Lord hes presupponit that wele and fowlie that thing wes knawin till ws that lang tymis afore bypast his antecefforis and progenitoris and thai Eirlis of Orchardie iustlie laufullie inforffable, linialie, and gre be gre be jure hereditare hed succedit to the forsaide Eirldome of Orchardie, and withoute ony strange geneolige enter-and betuix, had be lang tyme brukit the same quietlie ; and how that

libri censuales, et alia diuersa probationum genera fuerant igne consumpta, deperdita et alienata, hostilitatis tempore et guerrarum, emulorum inimicorumque nonnullorum, defectu et carencia firmissime domus seu munitionis inexpugnabilis ubi huiusmodi collocarentur; subiunxit idem Dominus Comes quod habuit litteras quondam supremi Domini nostri Regis ERICI illustris, patentes, quas nobis ostendit, et perlegi fecit precepta continentes subsequencia, scilicet: Quod si quis nostrum habuerit, vel nostrum qui habuerint aliquas cartas, evidencias cirographia, instrumenta, munimenta codicillos, acta, uel priuilegiorum litteras ad progenitores antecessores uel ad se spectantes, dictumque suum Comitatum concernentes, quod indilate et sine mora aut contradictione seu obstaculo quibuscunque eidem Domino Comiti deliberaret uel deliberarent, secundum quod ipsius Domini nostri Regis euitare velimus indignationem. Virtute quarum litterarum, sicut eadem Comitis continebat proposicio, nos requisit ut si de huiusmodi antedictis munimentis, aliqua habuissimus in nostris scriniis epothecariis, thecis, cistis,

diuers charteris, eidentis, instrumentis, compt bukis, and otheris diuers kindis of probationis war consumit be fyre, tint and alianat in the tyme of hostilite, and of weris of vnfreindfull innimiis, throw laik and wanting of ane fuir hows or mansioun inexpugnable quhare siclike forsaidis mycht bene furlie in dew place kepit, the said lord and erile alswa allegit that he had lettres patent, of oure wmqhill supreme Lord illustrie King ERICUS, the quhilkis he schew till ws and causit tobe rede perfitlie weill continand preceptis onder followand that is to say gif ony of ws ane or ma had ony chartoris eidentis or lettres of preuilegis extinent till progenitoris antecessoris or till hyme self concernand his Erildome that without delaie and but tarie or contradiction or obstacle quhat sumeuere we suld deliuer the saming to the said lord Erile eftir as we wald eschew our lord the Kingis indignatioun. Be the vertu of the quhilkis lettres as the same proposition of the Erile continit, he requirit ws that gif we had of siclike forsaidis kathedrale strenchettis onye thingis in oure schrinis, copheris, thekis, kiftis, armo-

archiuis, feu cartophilaciis, quod ipsa fibi deliberaremus, et in casu quo non habuerimus, sed sciremus ab aliis ea haberi, quod fibi intimaremus et reuelaremus . Et si nec unum nec reliquum sciremus, tunc nos requisivit earundem literarum autoritate, quatenus nos Deum, iusticiam et equitatem pre oculis habentes in declarationem veritatis, velimus sagaciter ac studiose mature degestis mentibus iterum iterum ac tercio perscrutari scripturas, cronicas autenticas et approbatas que faciunt fidem, illas perlegere, diligenter inspicere, sane concipere et intelligere, ac nostras infeodaciones et ecclesiarum fundaciones prospere intendere, quibus sic mature rimatis et ad plenum discussis velimus supremo Domino nostro manifestare . per geneologias ac cronicas autenticas, per quos et a quibus linialiter et gradatim idem WYLELMUS COMES processit, et per quanta tempora, legitime, iuste, bene et inconcusse predecessores fui et ipse gauisi sunt dicto Comitatu cum vniuersis et singulis suis Infulis, commoditatibus asiamenis et iustis suis pertinentiis . Ne huiusmodi successio ultra debitam procelaretur hominum

reis, or chartor wardis we fuld deliuer the saming till hyme, and becaif we hed nocht the saming bot fuld knaw siclik hed be otheris, than that we fuld mak hyme knowlege of sic thingis, and not hald quiet in secrete ; and gif we knew nocht be ane or otheris of the forsaidis, than he requirit ws be the authorite of the saming lettres that we hawand God, iustice and equitie afor our ees toward declaratioun of veritie, wald wyllie studioslie riplie with digest myndis agayne agane and thridlie furth seik scriptouris, autentike cronikis and approbat quhilk makis fayth, as to perfytlie rede the saming diligentlie beheld hailfullie consawe and onderstand and alswa oure infeodationis and fundacionis of kirkis . To confyder cleirlye the quhilkis thingis beand swa riplie furthsocht and fowlie discussit he requirit we wald mak manifest till our supreme Lord be geneologiis and autentik cronikis be the quhilkis and fra the quhilkis the said lord WILZEME ERILE procedit linialie gre be gre, and how lang tyme his predicefforis and he had josit the said Erildom iustlie wele and onfchoritlie with thair vniuerfall

memoriam, hiis omnibus sic propositis, auisatis, discussis, degeſtis mature et ad plenum conceptis et intellectis, habitis prius diuerſis et ſingulis hinc inde tractatibus, Ad honorem Dei omnipotentis, manifeſtacionem veritatis ad obedienciam et reuerenciam ſupremi Domini noſtri Regis, tanquam filii obediencie preceptarii mandatorii prout decet in hiis que audiuiſmus a ſenioribus noſtris, deinde que legimus, intelleximus, et concepimus et ad plenum ſano effectu degreſſimus, per libros ſcripturas, cronicas Regnorum vtrorumque Scocie et Norwegie, et progenitorum eorundem; ſic quia ſingulariter ſinguli, et vniuerſaliter vniuerſi, vno animo, vna fide, vnico conſenſu et aſſenſu reſpondemus fidem ut prefertur et teſtimonium veritatis facientes vniuerſis ſupraſcriptis. Quod vniuerſa genera munimentorum, cartarum, euidentiarum et aliarum probacionum ſpecies que apud nos erant, ob reuerenciam ſupremi Domini noſtri dicto Domino Comiti deliberauiſmus et exhibuiſmus, antedictum Comitatum concernencia.

and ſingular. His commoditeis, aſſaymentis and iuſt pertinentis. That the ſam ſucceſſion ſuld nocht be prolonged our the detfull memorie of men thir forſaidis allſwa proponit awiſit diſcuſſit digeſtit riplie and fowlie conſawit and onderſtand zit than firſt diuerſ and ſingull tractetis beand had fra thin to thin to the honor of God omnipotent, manifeſtation of verite to obedience and to the reuerence of oure ſupreme Lord the King, as ſonnis of obedience we preceptoris mandatoris in ſic thingis quhilkis we hawe herd be owre elders than quhilkis we hawe red onderſtand and conſawit, and with haill effect fowlie hes digeſtit, be bukis, ſcripturis, be cronikis of bayth the Kingdomis of Norwege and Scotland and of the progenitoris of thame; ſwa for thi ſingull ſingularlie, and vniuerſ vniuerſlie, with ane mynd, ane fayth, ane conſent and aſſent we anſweir fayth as foirſaid is and witneſſing of verite makand till all aboue writtin, That all kinddis of ſtrengthtis, of chartoris, of euidentis, of hand writtis, of inſtrumentis, of codicillis, and of all otheris quhilkis fumeuer probationis quhilkis war

Sed verum est, ut in veritate attestamur ex relacione fidedignorum antecessorum et progenitorum nostrorum, quod principalis et precipuus mansus siue manerium Domini Comitis Orchadie fuit diuersis temporibus igne combustus et ad nihilum redactus et funditus destructus, et patria tota depredata et vastata, per emulos nostros et inimicos . per quas depredaciones, consumpciones, et destructiones firmiter credimus quod principales evidencie, carte, et alie patentes diuerse littere fuerunt et sunt alienate et consumpte, spectantes et concernentes ad antecessores et progenitores dicti Domini Comitis, defectu vnus castri in quo tutissime ipse evidencie, et carte, ac alia patrie jocalia, firmissime poterant collocari . Et quantum ad linialem progressum et graduum successione[m] dicti Domini Comitis, et suorum antecessorum seu progenitorum Comitum Orcadie . Nos prenominati superius expressati, juxta nostrum ingenium, sensum et intellectum perscrutati sumus, et

toward us for the reuerence of our supreme Lord, we haue deliuerit and giffin to the said lord Erile concerning the foirsaid Erildome .

Bot trew it is and in verite we bair witnessing betherelatioun of our faythfull antecessours and progenitoris that the principall mans or manerie of thame lordis Erilis of Orchadie hes beine syndrie tymis brint and redactit till nocht and all wterlie distroit and the haille cuntrie spulzeit and wastit be our onfreindis and innimies, throw the quhilkis depredationis consumptionis and destructionis we belewe that the principalis evidencie chartoris and otheris diuers patent letters hes bene and ar aleinat and consumit, pertenant or concernand to thair antecessoris and progenitoris of the said lord Erile, and that throw default of ane castell hows in the quhilk the saidis evidencis charteris and otheris jowellis of the cuntrie mycht bene souerlie kepit . And as to the linialie progres and successioun of greis of the said lord Erile, and of his antecessoris or progenitoris Erillis of Orchadie, We prenominat aboue expreffit, efter ingine knowlege and onderstanding riplie auisit and cleirlie

mature auisati lucidissime per diuersa linguarum genera, scripturas autenticas et approbatas, cronicas scilicet in lingua Latina et Norwegica, per quas reperimus infeodaciones ecclesiarum nostrarum, geneologias nostras et antecessorum nostrorum, cartis et euidenciis ipforum et nostrorum manifestantibus, et claro stili eloquio testimonium perhibentibus ac fidem facientibus . In quibusquidem cronicis, libris, cartis ac aliis autenticis scripturis, reperimus nomina diuerforum Comitum Orchadie tempora infeodacionem ipforum iuxta modum aut formam sequentem . Sed de eorum strenuis et notabilibus operationibus, gestis, nominibus filiorum filiarumque suarum, de modo migrandi ab hac luce, de diuisione seu vnione hereditatis ipsorum, de incremento uel decremento possessionum suarum, pro presenti breuitatis causa pretermittimus, et nos ad antiquas Cronicas et Geneologias autenticas et approbatas referimus .

REPERIMUS vtique in primis quod tempore Haraldi Comati primi Regis Norwegie, qui gauisus est per totum regno ipso, hec terra fuit Insularum patria Orcadie fuit inhabitata et culta

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hes focht furth be diuers kindis of tongis scriptouris autentik and approbat, cronikis in Latine and Norwege tong, be the quhilkis we haue fund the infeodations of oure kirkis or geneologiis and of oure anteceffouris, charteris and euidence of ws and of thame furthschawand and with ane fair maner of stile makand witneffing and fayth . In the quhilkis cronikis, bukis, charteris, and otheris autentik scriptoris, we haue fund the namis of diuerf Erils of Orchadie the tymis of the infeodationis of thame efter the maner and forme followand . bot of thair stowt and notable operationis, gestis, namis of thair sonnis and douchteris, of the maner of deing, of the diuision or vnion of thair heritage, of the encreffing or detriment of thair possessions, becauf of schorting at this tyme, we lat pas and referris ws till auld Cronikis and Geneologiis autentik and approbat .

SUA we find with the first that in the tyme of Harald Comate first King of Norwege, quhilk josit the haill kingdome, this land or contre Insulare of Orchadie was inhabitat and

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duabus nacionibus, scilicet Peti et Pape, que due reuera naciones fuerant distructe radicitus et penitus per Norwagenses de stirpe sue de tribu strenuissimi principis Rognaldi, qui sic sunt ipsas naciones aggressi quod posteritas ipsarum nacionum Peti et Pape non remansit . Sed verum est quod tunc non denominabatur Orchadia, sed terra Petorum sicut clare verificatur, hodie adhuc Cronica attestante, per mare diuidens Scociam et Orcadiam quod usque in hodiernum diem Mare Petlandicum appellatur . Et sicut pulcre subiungitur in eisdem Cronicis, Rex iste Haraldus comatus primo applicuit in Zetlandiam cum classe sua, et consequenter in Orchadea, et contulit illam Orcadiam et Zetlandiam antedicto principi Rognaldo robusto, ex cuius stirpe ut prefertur, prefate due naciones fuerant euerse et distructe, sicut Cronice nostre clare demonstrant . A quoquidem Rognaldo procefferunt linialiter et gradatim omnes Comites Orchadie, et possederunt temporibus suis dictum Comitatum libere sine quacunque exactione, quocunque canone seu sensu, excepto obsequio prestando Regibus Norwegie tributi

mainerit be twa nations callit Peti and Pape, quhilk twa nations in deid war allwterlie and clenlie destroyit be the Norwegens of the clan or tribe of the maist stowt prince Rognald, quhilkis Norwegens, fwa passit on the said nations of Peti and Pape that the posterite of thame efter remanit nocht . Bot trew it is that the land was nocht callit Orchadie, bot the land of Petis, as it is zit at this tyme ane Cronik makand witneffing, cleirlie verifiit be ane see deuidand Scotland and Orchadie the quhilk see till this day is callit Petland Firthe . And as it followis cleirlie in the sam Cronikis, this King Harald comata first arriuit in Schetland with his nawie of schippis, and eftirward in Orchadie, and gaif the same and Schetland to the forsaid prince Rognald the stowt, be quhois clan (as oure Cronikis cleirlie schawis) the foirfaidis nations (as foirfaid is) was wterlie downthrawin and destroyit. Fra the quhilkis Rognald procedit linialie gre be gre all Erilis of Orchadie and hes brukit for thair tymis the said Erildom frelie, without onie exaction, without chal-lance or paiment, except omage to be maid to the Kingis of Norwege, be

racione, ficut in clausula fequenti latius patebit que in Cronica de verbo in verbum continetur . "REVERA enim usque hodie illorum posteritatis dominio fubiacent, excepto quod jure tributario Norwegie Regibus deferuiunt ."

QUIQUIDEM Princeps Rognaldus strenuiffimus [Orcadie] Comitatum libere et pure donavit cuidam fratri fuo Swardo nomine ; qui Comes Swardus procreavit quendam filium Gothormum nomine ; qui Comes Gothormus poffidebat dictum Comitatum per unum annum et deceffit fine herede legitimo ; et fic reverfus eft iterato dictus Comitatus dicto Principi Rognaldo, qui pure et libere illum contulit cuidam filio fuo Eynar nomine, qui poftea cognominabatur Turffeinar ; qui quidem per longa tempora poffidebat dictum Comitatum et habundavit opibus et plenus fuit divicijs . Cui fuceffit filius ejus Thurwider Hedclevar ; cui fuceffit filius ejus Hlauderver ; cui fuceffit filius ejus Comes Swardus robustus ac corpulentus, magnus et ftrenuiffimus bellifer . Adhuc tamen non fuit regeneratus facri baptif-

reffon of tribut, as falbe fchawin at mair lentht in the claus followand, quhilk is continit word be word in the Cronik . "Trew it is that the landis onderliis the dominion of the pofteritie of thame till this day, except that be law of tribut tha deferue to the Kingis of Norwege ."

The quhilk Prince Rognald the ftowt gaif the fam Erildome frelie and purlie till his brodir callit Sward ; quhilk Erile Sward begat ane fone callit Gothorm ; quhilk Erile Gothorm brukit the faid Erildome for ane zeire, and deceffit but lafull aire ; and fwa the faid Erildome reterit agayne to the faid Prince Rognald, quhilk purlie and frelie gaif the fame to his fone to name callit Enar, quhilk afterward wes callit be forname Turff-Enar ; the quhilk be lang tyme brukit the faid Erildome, habundand in mycht and riches. To the quhilk fuceffit his fone Thwruydermus Cleuar capitale, callit in wlgar langage Thurydin Huffa Cleuar ; to the quhilk fuceffit his fone Erile Holoudyr ; to the quhilk fuceffit his fone Erile Sward the wicht and corpulent, ane grete and maift ftowt battellare : Zit than as zit he was nocht regenerate

matris lavacro, neque alii Comites
prenominati .

In cujus quidem Comitis Swardi diebus supervenit Olauus Thurgonis filius, Rex illustrissimus de occidentalium partium guerris; cujus inductione Comes ille Swardus una cum gente Orchadie devenerunt Christiani, gentilitatis relinquentes errorem . Cui Comiti Swardo successit filius ejus Comes Thurfinus, procreatus ex filia quondam excellentissimi Principis Malcolmi Regis Scottorum illustris . Qui quidem Rex contulit dicto Thurfino terras de Cathnes et Suthirland sub unica denominatione comitatus in Scocia; et illis gavifus est una cum comitatu Orchadie Zetlandie et pluribus aliis dominiis in Scocie regno jacentibus, et vixerat diu et strenuissimus erat in campis . Post cujus quidem Comitis Thurfini obitum successit sibi ejus filius Comes Erlinus primus; et iste Erlinus primus genuit Comitem Paulum et Erlinum secundum; qui Paulus Comes genuit Comitem Haco . Comes Erlinus secundus procreavit Comitem Magnum gloriosissimum, martirem, patronum Orcadie qui sanctissime abiit ab hac luce virgo et martyr . Post cujus

be the lawer of halie baptisme, nor
zit tha Eriles forsaide.

In the quhilkis Erile Swardis daiis, be chans thar come [Olaus son] of Thurgon, King maist illustre fra the waris of the west partis; be quhois induction the said Erile togidder with the pepile of Orchadie, refuse and the error of gentilitie, become Christianis. To the quhilk Erile Suard succedit his sone Thurfine, procreate of the dochtter of vmquhill the maist excellent prince Malcolme illustrie King of Scottis; the quhilk King gaif to the said Thurfine the landis of Cathanie and of Suthurlandie in Scotland onder ane denomination of Erildome; and he josit tha landis togidder with the Erildome of Orchadie and Schetland and fundrie otheris dominionis lyand in the kingdome of Scotland: he led lang lyfe, and was ane man of he waslege in feildis. Efter the quhilk Erile Thurfinus deces, succedit till hym his sone Erile Erline the first; and this Erile Erline the first begat Erile Paule and Erline the secund; the quhilk Erile Paull begat Erile Halcon; Erline the secund Erile of Orchadie procreat Erile Mawnis, maist glorious martyr,

quidem Magni martyris decessum et post obitum Comitis Hacon successit Comes Rollandus qui primo fundavit ecclesiam Sancti Magni martyris, illamque magnis possessionibus divitiis et redditibus dotavit: predictus virque fuit sapientia et virtute pollebat per plura bona pietatis opera famabatur venerabaturque et reputabatur pro sancto viro. Post cujus quidem obitum successit ejus frater Ericus comitatus; cui successit Comes Haraldus; cui successit Comes Johannes filius ejus; cui Johanni successit Comes Magnus secundus; a quo Alexander Scotorum Rex cepit comitatum de Suthirland. Cui Magno comiti secundo successit Comes Gilbertus primus; cui successit Comes Gilbertus secundus ejus filius, qui gavifus est comitatibus Orchadie et Cathnes in Scocia; qui quidem Gilbertus secundus procreavit Magnum tertium, et quendam filiam Matildam nomine. Iste Comes Magnus, filius Gilberti secundi, genuit Comitem Magnum quartum et quendam Johannem; et ille Magnus Comes quartus ab hac luce abiit sine prole; cui successit Johannes ejus frater in antedictis comitatibus Orchadie et Cath-

patron of Orchadie, the quhilk of maist halie lyf passit fra this licht till euerlestand, virgine and martyre. Efter the quhilk halie Mawnis martyris deces, and efter the obite of Erile Halcon, succedit Erile Rolland, quhilk first fundit the kirk of Sanct Mawnis martyre, and dotat the same with gret possessions riches and rentis: The forsaid man was wys and of gret vertue, and throw monie dedis of pietie was diwlgat and wirschippit, and honorat for ane halie man. Efter quhois obite succedit his brothir Ericus to the Erildome; to the quhilk succedit Erile Harald; to the quhilk Erile Joanne his sone; to the quhilk Erile Joanne succedit Erile Mawnis the secund; fra the quhilk Alexander King of Scottis tuk the Erildome of Suthirlandie; to the quhilk Erile Mawnis the secund succedit Eirle Gilbert the first; to the quhilk succedit Eirle Gilbert the secund, his sone, quhilk josit the Eirldomis of Orchadie and Cathanie in Scotland; the quhilk Gilbert secund procreat Eirle Mawnis the thrid, and ane dochtter callit name Matilda. This Eirle Mawnis, sone of Gilbert the secund, begat Eirle Mawnis the ferd and ane Joanem; and that Eirle

nes . Johannes iste genuit quendam Magnum Comitem quintum . Cui Magno quinto jure fuceffionis linealiter fuceffit dominus Malifius comes de Stratherne in Scocia, tanquam heres legitimus jure hereditario, ad utroque Comitatus Orchardie et Cathanes, ficut clariffime manifestant munita evidencie et carte utrorumque regnorum Scocie et Norwegie confirmationis defuper confecte .

Qui quidem Comes Malifius revera primo desponfavit filiam Comitis de Menteth in Scocia, et ex ea genuit filiam Matildam nomine ; post cujus quidem prime uxoris obitum desponfavit filiam quandam quondam Hugonis Comitis de Roff, et ex ea procreavit quatuor filias, et deceffit sine masculis ; ficque ejus dominia terre et possessiones fuerunt divise inter illas . Filiam vero antiquiorem ex prima uxore procreatam Matildam scilicet duxit in uxorem Welandus de Ard ; qui ex ea procreavit quendam filium Alexandrum de Ard ; qui Alexander, jure

Mawnis the ferd deit without ane barne ; to the quhilk fuccedit Joanne his broder in the forfaidis Eirldomis of Orchardie and Cathanie. This Joanne begat ane Mawnis the fyft Eirle ; .to the quhilk Mawnis the fyft be just fuceffion linialie fuccedit Lord Malifeus Eirle of Stretheren in Scotland, as lawfule aire be law of heritage, till bayth the Eirldomis of Orchardie and of Cathanie, lyk as the frenchthis, evidencis, and charteris of the confirmationis thairapon maid of bayth the kingdomis of Scotland and Norwege cleirlye makis manifest.

The quhilk Eirle Malifeus first despowfit the dochttter of the Eirle of Mentecht in Scotland, and begat on hir ane dochter callit Matilda be name ; efter the quhilkis first wywis deces he despowfit ane dowchtter of wmqhill Hewe Rofs Eirle of Rofs, and procreat of hire fowre dowchtteris, and deceffit withoute men childer ; swa that his lordschipis of landis and possessionis war diuidit amangis thame. Weland of Arde despowfit the eldest dowchtter procreat of his first wyfe, the quhilk dowchtter was callit Matilda ; the quhilk Weland Arde procreat of hir

regni Scocie et consuetudine hereditarie successit Comiti Malise de Strathern in principali manerio five manso ratione sue matris Comitatus de Cathania, et possidebat jure et appellacione Comitatus; et eadem ratione et eodem jure gavissus est certa perticata five quantitate terrarum Orchadie, et gerebat se pro ballivo et capitaneo gentis Orcadie, Norwegie Regis ex parte: idemque Alexander de Arde tempore suo vendidit et alienavit quondam recolende memorie domino Roberto Stewart primo Scotorum Regi dictum Comitatum de Cathnes, mansum five manerium principale et omnia alia jura spectantia seu concernentia ad se ratione matris, ejus tanquam ad antiquiorem sororem jure et consuetudine regni Scocie, cum denominatione comitatus five Comitatus. Iste vero Alexander finaliter decessit sine herede de suo corpore quocunque legitimo procreato.

NUNC vero vertamus stilum ad quatuor Filias ex secunda uxore procreatas; quarum una desponsata erat

ane sone callit Alixander of Arde, the quhilk Alexander of Arde, be the law of Scotland and conswetude heritageble, succedit till Eirle Maliseus pere of Strathren in the principall manuring or manß of the Eirldome of Cathanie, be resson of his mothir, and brukit the same be law and appellacion of ane Eirle; and be the same law and resson he josit ane soun part or quantite of the landis of Orchadie, as partinant or belangand, efter the law of Norwege, to the eldest sifter be jure of heritage: And the sam Alexander of Arde in his tyme seld and alienat till wmqhill of wirschipfull memorie Lord Robart Stewart first King of Scottis the said Eirldome of Cathanie, the manß or manerie and all otheris richttis belangand or concernand till him, be resson of his modir, as till eldest sifter be law and conswetude of the Kingdome of Scotland belangand, with denomination of Eirldome, or of Eirle. trewlie this Alexander finalie decessit with out ony quhat sumeuer lawfull aire procreat of his bodie.

Now trewlie we must turn our still to the fowre Sisteris procreat of the secund wyfe or spowß; of the quhilk

cum domino Willelmo de Sancto Claro Domino le Synclar; qui dominus Wilelmus ex ea genuit dōminum Henricum de Sancto Claro; qui dominus Henricus desponfavit Jonetam filiam domini Walteri de Haliburtoun domini de Dirletoun, et ex ea procreavit dominum Henricum de Sancto Claro secundum; qui ultimo deceffit comes Orcadie indubitatus; qui in uxorem habuit venerabilem dominam dominam Egidiam filiam filie antedicti quondam domini Roberti Scottorum Regis illustris filiamque quondam strenuiffimi domini Wilelmi de Douglas, domini de Nydyfdale, et ex ea procreavit presentem dominum Wilelmum de Sancto Claro Comitem Orcadie Dominum le Synclare.

Quedam alia filia secunde uxoris desponfata fuit cum quodam milite denominato Here Ginfill, de Swethrik partibus oriundo; qui vero miles in Orcadie partibus venit, et jure ac ratione sue uxoris gavifus est quadam parte terrarum Orchadie; que quidem uxor ab hac luce sine herede migravit legitimo ex suo corpore procreato. Tertia

ane was spowfit with lord Wilzem of Sanct Claire Lord Santclare; the quhilk Lord Wilzem begat on hire lord Henrie Santclare; quhilk lord Henrie despowfit Jonet the dowchtter of Walter Haliburton Lord of Dirlton, and begat Lord Henrie Santclare the secund; quhilk at the last deceffit ondoutit Eirle of Orchadie and Schetland: the quhilk he despowfit ane wirhipefull ladie callit Gelis Dowglaß the dowchtter of the dowchtter of the forsaide Lord Robart Stewart illustrie King of Scottis and the dowchtter wmqhill of the maist stowt lord Wilzem of Dowglaß, lord of Nithisdale, and of hir procreat he this present lord Willzem of Santclare, Eirle of Orchadie, Schetland, Eirle of Cathenes, Lord Sinclaire and Lord of Nithisdale and vaus of vecht.

Than trewlie ane other dowchtter of the secund wyfe was despowfit with ane knyght callit Hergifill, born in the partis of Swecie; the quhilk knyght com in the partis of Orchadie, and be law and refone of his wyfe josite ane part of the landis of Orchadie; the quhilk wyfe deit with out airis [law]-full begotin of hir body. The thrid

vero filia secunde uxoris fuit nupta cum quodam Gothredo nomine Gothormo le Spere; qui ex ea procreavit quendam filium dominum Malifium le Spere militem; qui tandem deceffit sine herede legitimo de suo corpore genito. Similiter et quarta filia deceffit sine herede ex suo corpore legitime procreato.

Verum iste dominus Henricus, primus Dominus le Sinclare, ejus matre, Alexandro de Ard et domino Malefio Spere adhuc viventibus, ad dominum nostrum supremum regem Norwegie adivit Hacon nomine; Cum quo Rege certas inüt pactiones conditiones et appunctuamenta, per quasque reversus est ad Orchardie partes, illisque gavifus est usque ad extremum vite sue, Comesque Orcadie obiit, et pro defensione patrie inibi crudeliter ab inimicis peremptus est. Et post decessum istius Henrici comitis primi in Orcadie partibus, supervenit dicti Comitiss Henrici primi mater, filia domini Malefii Comitiss prenominati, et ibi fixe remansit usque post obitum filii ejus Henrici Comitiss primi; et supervixerat post obitum omnium sororum suarum, filiorum filiarumque fuorum; sic quod ipius

dowchtter of the secund wyfe was mariit with ane callit to name Gothormo Spere; the quhilk procreat of hir ane sone fir Malifeus Speir knyght; the quhilk deceffit without lawfull aire procreat of his bodie. And swa the feird sifter deceffit without lawfull aire procreat of hir bodie.

Than of treutht this lord Henrie, first Lord Sinclair, his modir, Alexander Ard and fir Malifeus Speir [beand] on lyfe, past till oure supreme lord King of Norwege [by name Hacon.] With the quhilk King he maid certane resonis conditionis and appintmentis, be the quhilkis he reterit to the partis of Orchardie, and josit thame to the latter tyme of his lyfe, and deit Eirle of Orchardie, and for the defence of the cuntrie was sclane thair crowellie be his innimiis: And efter the decess of this Henrie first Eirle of Orchardie, in the partis of Orchardie, com be chans the modir of the said Eirle Henrie the first, the dowchtter as is said of lord Malifeus, Eirle prenominat; and baid continualie thar efter the deces of hir sone Henrie, the first Eirle; and brukit lyfe efter the decess of all hir sifteris sonniss

antedicti quondam Comitis Henrici primi mater succedit omnibus fororibus ejus, eorundemque filiis et filiabus, tanquam unica et legitima heres Comitatus Orcadie, et terrarum de Cathnes, sibi tanquam uni forori debitarum; parte dumtaxat et porcione exceptis fororis sue antiquioris de terris de Cathnes, sub denominatione et appellacione Comitatus sive Comitatus; quam partem ut superius dictum est, alienavit ac vendidit ipse quondam Alexander de Ard regi Scocie prenominato. Hujusque rei testes sunt adhuc viventes fide digni, qui ipsam matrem Henrici primi oculis viderunt, labiisque sunt locuti cum ea communicantes ad plenum. Cui succedit ejus nepos Henricus secundus filius primi Henrici; cui Henrico secundo succedit prefens et superstes DOMINUS WILLELMUS Comes modernus Dominus le Sinclair.

EXCELLENTISSIME PRINCEPS, ut premiffimus in principio, ita fine protestamur, quod vestra serenissima Regia sublimitas ac ipfius benignissima Majestas juxta ingenii nostri modulum et sensuum capacitatem, nos linguamque nostram incultam nebulis

and dowchtteris; swa that sche, modir of the forsaide Eirle Henrie the first, succedit till all hir fisteris, and till all the sonnys and dowchtteris of tham, as anerlie ane and lawfull aire of the Eirledome of Orchardie, and of the landis of Cathanie, belangand till hire as till ane anerlie fister, ane part and portion anerlie except of hir elder fister of the landis of Cathanie, onder the denomination and appellation of the Eirldom or Eirle; the quhilk part, as said is, Alexander of Ard aleinat and fald to the prenominat King of Scotland: Of this thing thar bene faythfull witneß as zit leweand on lyfe, quhilk saw the modir of Henrie the first, and spak with hir at lenth; to the quhilk succedit her neuo Henrie the secund, sone of Henrie the first; to the quhilk Henrie the secund, succedit, zit present and on lyfe, LORD WILZEM, Eirle modern and Lord Sinclair.

MAIST EXCELLENT PRINCE, as we promittit at our entre, swa now at the end we protest, that zour maist serene Kinglie Heneß, and maist bening Majesty, will hawe ws efter the mener of our ingine and capacite of oure sensis rude and onlernit, but science retho-

ignorancie multipliciter obfuscatam velit rudes indoctos a rethorica sciencia alienos in fecunda facundia ignaros habere excusatos . quamuis barbarico more, non poetice locutionis, modo grosso loquamur . quia Infulares fumus a terrarum sciencia penitus alieni, ideo quod condecanti rethorice locucionis stilo siue scriptura non referimus, vestre Regie majestatis ea et nos ouatissime submittimus correctioni . Sed verum est ut attestamur, quod more nostro barbarico omnia que superius vestre Majestati scribimus vera sunt, quia ex antiquis libris, scripturis autenticis, cronicis approbatis, et relacionibus fide dignorum antecessorum nostrorum, ac infeodacionibus nostris ecclesiarum nostrarum ista extraximus et compilauimus . Et si opus esset, plura quam in presenti Epistola vestre Celsitudini lacius manifestare sciremus ipsamque in premissis informare . Sed quia longa solent sperni, hec pauca sufficiunt pro presenti .

Et ut hec nostra Epistola taliter

ricall, but plantifull eloquence, and our tong als all wais obfuscat inornat, throw the dirkness of ignorance, excusit; and that swa beit we speik grosslie, in barbar maner (nocht as poetis) to be excusit for thi . We ar Infularis duelland in Ilis feuerit aluterlie fra science of lettres; and for that we hawe nocht set furth the forsaidis with ane semand stile, or with scriptour of rethoricall eloquence, we submit oure self and the dytement of the said forsaidis joyfullie to the correction of zour Kinglie Maiestie . Bot trewth it is, as we mak witneffing, that all the forsaidis quhilkis we hawe writtin be our barbar maner to zour Maiestie ar trew, for famekle that out of ald bukis, autentik scriptoris, approbat cronikis, and be reporting faythfull of oure ald antecessoris, and be infodationis of oure kirkis, we hawe out drawin and compilit the faming; and gif neid had bene till hawe schawin forder, or informat than in the premissis contenit in this present Epistill till zour Celsitud, we culd hawe dresfit the same; bot forthi large proces be tedious to heir, lat thir forsaidis for this tyme present be sufficient .

And that this oure Epistill this

qualiter compilata, vestre Regie majestati ac Dominis vestri Consistorii et palatii, circa latera vestra existentibus maiorem fidem ac roboris firmitatem faciat, animos vestros ad plenum informet, ac inter archana pectorum vestrorum radicem emittat veritatis firmam, et ceteros Christi fideles sancte matris Ecclesie filios instruat, ad Deum et sacro sancta Dei Evangelia per nos corporaliter tacta juramus, quod premissa modo quo supra relata deponimus, ad Dei honorem vestreque Celsitudinis predecessorum mandatum, et non alias, nec prece, nec precio, odio, amore, vel fauore, vel sub spe cujuscunque muneris presentis vel futuri, sed pro veritate dumtaxat dicenda .

IN quorum omnium et singulorum fidem et testimonium premifforum, figilla nostrum THOME EPISCOPI, Canonicorum et Capituli antedictorum, tociusque populi et communitatis patrie nostre Orchardie . quod dicitur Sigillum commune . et mei Henrici Randle legiferi, in nostra publica et generali sessione, non sine magna maturitate, et plena digestio-

and fwa compilit, to your Kinglie Maiestie and to the collaterale Lordis of your Confitorie or palice, ma mak the mair faytht and fikkernefs of strenth, informe your myndis fowlie, and amangis your secreet breiftis furthfet the fouer rote of verite, and ma instruct otheris Christianis sonniss of the holie modir Kirk, We fwair be God, and be the holie Ewangelis of God corporallie tuhechit be ws, that we depone the premiffis in the maner abus schawin, to the honour of God, and at the command of the predecessoris of your Heneß and na otherwais, nother for prairor, nor for price, hatrent, luf, or for fauore, nor for houp of quhatfumeuer reward present or to cum efter, bot for the verite anerlie to be said :

To the fayth and witneffing of all and fingulare thir premiffis our failis, that is to mene the seill of BISCHOP THOMAS, and of the Chanonis of the Chepture forsaidis, and of all the pepill and communitie of the cuntre of Orchardie, quhilk is callit the commune seill, the seill of myne Henrie Randle lawman, of Nicholaie Tullach myne, of Joanne Cragy myne arming, of

ne presentibus funt appensa, apud Richard Fodringame lawrik-men
 Kirkwaw menfis Maij die quarto myne, of Alexander Sinclar myne,
 anno Domini millesimo quadra- of Joanne Tod myne, of James Lask
 gesimo . tercio .¹ myne, of Alexander Broun myne,
 and of Anguß Mangfon myne, with
 certane feillis² of otheris faythfull
 perfonis of the cuntre, till thir pre-
 sentis ar to hangit,³ at Kirkwaw in
 Orchardie, the first day of the moneth
 of Junij the zeir of our Lord ane
 thowfand four hundrecht and . fex .

FINIS.

TRANSLATIT OUT OF LATIN INTO SCOTTIS,
 BE ME DEINE THOMAS GWLD, MUNK OF NEWBOTHILL,
 AT THE REQUEST OF ANE HONORABLE MAN,
 WILLIAME SANTCLAR BARROUN OF ROISLIN, PEHTLAND AND HARBERSCHIRE.
 ANNO DOMINI M. Vc liiij .

¹ In the Panmure MS., the word *quadragesimo* has been subsequently altered, on the supposition that, instead of 1043, the actual date had been 1403. In the translation it is 1406, and "40" is added in the margin, in a later hand, thus making the date 1446.

² In Guild's MS. *seill* and *seillis* are written *saill* and *saolis*.

³ From Guild's translation it appears that the seals of various persons in Kirkwall, whose names are omitted in this copy of the Latin original, had been affixed. The variation in the dates, as mentioned in the previous note, of the above copies, will also be observed.

EXTRACT FROM "ORCADES, SEU RERUM ORCADENSIIUM
HISTORIÆ LIBRI TRES," &c. Auctore THORMODO TORFFÆO.
P. 182. Hauniæ, 1697 and 1715, folio.¹

ANNO MCDXXXIV. (A. D. 1434,) die Divo Laurentio sacro Rex Eiricus nobilem quendam Scotum Guilielmum de S. Claro ritu investituræ solenni et ufitato Comitem Orcadensem creavit. Qui vicissim Regi, ejusque Successoribus homagium præstitit, fidemque suam consilio et opera, his conditionibus obligavit, ut sequitur. Se nimirum quandocunque postularetur, centenis armatis peregrè militaturum in commodum et ufum Regis, modo mensibus tribus apud Orcades antea præmoneatur. Ubi autem advenissent illi de alimonia aliisque necessariis prospici ipsis Rex curaret. Se etiam si qui forte invadere hostiliter Orcades Hialtlandiamque tentaverint, omnibus viribus ac manu ex Infulanis collecta, inhibiturum eos, ac sua defensorum territoria. Bona quoque fide pollicebatur, nullas se arces aut munitiones excitaturum, nisi consensu ac consentiente Regia Majestate. Ditiones quoque easdem atque incolas, clerum, laicos, dites et pauperes, intra juris ac legum fræna retenturum. Turrim vero illam, quæ sine consensu Regis Kyrkiuvogi extructa erat tempore avi ejus et prædecessoris Comitum Henrici de S. Claro, sine ulla contradictione dicto Domino Regi, cum tota Orcadia et insulis Orcadensibus, ejus heredibus, et successoribus, regnoque Norvegiæ se cessurum promittit.

¹ This extract from Torfæus's well-known work is added, for the purpose of showing that the Investiture of William Earl of Orkney took place at Copenhagen, on the day of St Laurence, the 10th August 1434. The mention at pages 67 and 69, of *quondam Eiricus*, &c., might otherwise seem to indicate that the preceding Diploma had been addressed to Erick's successor. Erick the Ninth of Denmark, the Third of Norway, and the Fifth of Sweden, surnamed the Pomeranian, reigned from 1412 to 1439.

Neque se etiam eundem comitatum ditionesque prædictas, et quam in eas Dei et Regis beneficio jurisdictionem tenet, averfurum ullo modo aut oppignoraturum, sine consensu ac voluntate Domini ac Regis fui jam dicti. Hæc ferè præcipua sunt, quibus se feudi ac clientelæ jure Regi ac regno Norvegiæ obligatum Comes agnoscit. Quibus et alia nonnulla accedunt de diffidiis intra comitatum dictum non excitandis, deque Rege ut judice agnoscendo, idque secundum Leges et Jura Norvegiæ, ac denique de ecclesiasticis Episcopoque tutando, quæ aliaque, ut specialiora, præterivimus. Inter testes verò et compromissores Comitatus nominantur Henricus Aberdonus, Columba Moravienfis,¹ Robertus Cathanienfis, divina gratia Episcopi; itemque Archibaldus Duglassus, Gulielmus Angussius, Georgius de Marche, Comites; Gulielmus Corck, (aliud exemplar Gortuucke,²) Alexander Ramseus equites; Johannes de S. Claro, Andreas de Keith armigeri.³ Obsidum etiam loco, cujusmodi olim avus hujus Comitatus Henricus Orcadum Comes Regi Norvegorum Haquino exhibuit, eorum inquam loco se codicillis capitibusque superscriptis subditurum spondet sigilla Thomæ Sincleri, Davidis Mundtovii, Alani Beton, Alexandri Brounii, Roberti Beny, et Johannis Haraldi armigerorum; Promittit præterea easdem literas, eo modo, ut dictum, obsignatas transmissurum venerandis in Domino patribus, Aslacho divina gratia Archiepiscopo Nidarosienfi, Thome Orcadensium,⁴ Johanni Osloensi, Auduno Stavangrienfi, Patro Hammarenfi, Olafo Bergenfi Episcopis, ut et Erlendo Erlendi, cæterisque ex ordine equestri ac senatorio Regni Norvegici. Cumque sæpiusculè etiam Eirico Regi avunculo suo nomine Orcadum et Comitatus dicti, literas misisset Serenissimus Scotorum Rex Jacobus, adstipulatus similiter est Comes

¹ In Torfaeus, "Apraniensis."

² Evidently mistaken for Borthwick.

³ Of the persons here named, the three Bishops were Henry de Leighton, Bishop of Aberdeen, 1424—1441; Columba Dunbar, Bishop of Murray, 1429—1435; and Robert Strathbrock, Bishop of Caithness, 14..—1446. The others were, Archibald Earl of Douglas, William Earl of Angus, and George Earl of March; Sir William Borthwick of Borthwick, Sir Alexander Ramsay of Dalhousie; John Sinclair, and Andrew Keith.

⁴ Thomas de Tholack, or Tulloch, Bishop of Orkney: see supra, page 31.

idem, operam se daturum ut tabulæ, quibus capita superius expressa continebantur, Regis ejusdem Illustrissimi sigillo instructæ ad Regiam Majestatem pervenirent, Acta hæc Hafniæ, die et Anno superius positis. Integrum instrumentum in Archivis Regiis reservatur, Cujus mihi clementissime facta est copia.



**THE TESTAMENT
OF ALEXANDER SUTHYRLAND
OF DUNBEATH.**

AT ROSLIN CASTLE, XV. NOVEMBER M.CCCC.LVI.

VOL. III.

M

WITH the exception of the two Testaments of Sir James Douglas of Dalkeith, made in the years 1390 and 1392, which are inserted in the previous volume of this Miscellany, it might not be easy to point out an earlier or more interesting testamentary document than the following. It is dated 15th November 1456, at Roslin Castle, the seat of the testator's son-in-law, William Earl of Orkney, afterwards created Earl of Caithness, and at that time one of the most affluent and powerful of the nobility of Scotland. The lady, Dame Marjory Sutherland, who is mentioned in it, was the second wife of the Earl of Orkney; and their issue branched out into the families of the Sinclairs, Earls of Caithness, the Lords Sinclair of Herdmanston, and the Sinclairs of Roslin. She had usually been considered as the daughter of Alexander, eldest son of John ninth Earl of Sutherland; until Lord Hailes, in his *Additional Case for Elizabeth Countess of Sutherland*, proved her real parentage by referring to the following Testament.¹

At the close of the seventeenth century, Father Richard Augustine Hay, Canon of St Genevieve, Paris, and Prior of St Pieremont, compiled the "Genealogie of the Sainte Clairs of Rosslyn;" and among other original deeds which he had in his possession, and transcribed, was the following Testament. Father Hay's MS. Collections are preserved in the Advocates' Library; and the portion that contains the Genealogy of the Sinclairs was published at Edinburgh, 1835, small 4to, in a volume edited by James

¹ Chap. VI. pp. 110, 127—129. Lord Hailes mentions that Alexander Sutherland of Dunbeath obtained a grant of the lands of Dunbeath, in the shire of Caithness, upon occasion of his marriage with Mariota de Ile, sister of Alexander de Ile, Earl of Ross and Lord of the Isles, according to an original precept, dated at Inverness, 24th October 1429.—(*Additional Case*, p. 110.)

Maidment, Esq., Advocate. The original Instrument containing the following Inventory and Testament, (along with a large number of Roslin Charters,) having recently been discovered in private hands, it was thought advisable to insert it in the present volume, in a more accurate form than it appears in Father Hay's Collections. It is written upon a large sheet of parchment, attested in the usual form by two Notaries Public.¹ As the deed itself mentions, it was sealed by the granter ; but the seal is now lost, and the parchment partially soiled, so that the writing in some parts is not very legible.

¹ Mr Thomas Thorbrande, styled *Vicar of Guvane*, and *Vicarius de Guvane*, (or Govan, in the diocese of Glasgow,) appears as witness to two charters of William Earl of Caithness, of the barony of Roslin, and the lands of Herbertschyre, granted to his son Sir Oliver de Saint Clair, dated at Rosalyn, 9th September 1476.—(*Genealogie of the Saintclaires of Rosalyn*, pp. 87, 90.)

IN DEI NOMINE, AMEN.

INVENTARIUM OMNIUM BONORUM, ALEXANDRI DE SUTHERLAND DE DUMBETH, FACTUM APUD ROSLYNG, DECIMO QUINTO DIE MENSIS NOVEMBRIS ANNO DOMINI MILLESIMO QUADRINGENTESIMO QUINQUAGESIMO SEXTO. IN THE PRESENS OF ANE HEE AND MYCHTI LORD, WILJAME ERLE OF CATHENESS AND ORKNAY, LORD SANCLEER, &c., SIR GILBERT THE HAYE KNYCHT, SIR HENRY ACHINSON, MASTER THOMAS THURBARNDSON PUBLIC NOTAR, SANDARIS FROYG, DONALD BRUNTOUCH, AND WYL BAXTER, WYTH DIVERSE UTHYRIS.

IN the Fyrft, xxiiij oxyn in Catheness; Item, in ky iiij^{xx} zounge and ald, wyth Ennyn Prest in Blenfer, wythoutyn caluyfs; Item, in Turfbuff[er], wyth Bulan, xx ky; Item, wyth his fon in Clanok, xx ky; Item, wyth Aytho Faurcharfon, xl ky; Item, xxiiij fra the fmyth wyth Makboyenauch or Faurchar Donaldon; Item, xl fchep in Turfbuffter wyth Poyl Colanfon; Item, fex rydyn horfs in Dunbeth; Item, fex horfs in Turfbuffter, and iiij ryddyn horfs; Item, xij merys and ftaggys; Item, in utenfil and domycyl, xx markis; Item, in grangeys, xxiiij chaldyr of beyr, xxxv chaldyr of atis.

Item, in Siluer, fex hundreth markis, and iiij^{xx} of poundis, tharof wyth S^r James in Werk twa hundreth pundis in fex peny grotis, wytne Sir John of Strabrok. Item, wyth the Abbot of Feyrn, a hundreth pundis of fex peny grotis, and four fcore of pundis of bonath grotis, wytne Donald Brontuch. Item, a hundreth pund wyth myfelf.

Item, in Clethyng, a gown of Dowa blak furret wyth fungeis; Item, a gown of Inglys broun, furret with fungeis; Item, a fyd gown of Dundee gray; Item, a ryddyn gown of Dundee gray; Item, a gown of broun gray to the final of

the leg; Item, a doublat of blak fatan; Item, a doublat of blak femys lethyr; Item, a doublat of fustyan, and a cot of greyn; Item, a hud of Ynglys broun, and an uthir of Scottis blak; iij pair of scheytis in Tayn, and iij payr wyth myself; twa blankatis; twa coveryngis. Item, in to Tayn, iij kyftis full of gere, and al my charteris, wyth the Abbot of Feyrn; Item, a kyft in Dunbeth, wyth part of geir; Item, a fethyr bed wyth Sir Wiliam Monelaw; Item, a compt burd, a boufter, a nopsek, a furring of quhyt, and a Primar buk; Item, in Werk, a kyft, wyth diuers thyngis tharin.

Hec sunt Debita que sibi debentur.

In the Fyrft, thre hundreth wedeys of yrn,¹ that I lent to the Byfchop of Cathenefs, bourous² Alexander Malcum Saulfons fon, and William of Devan, conjunctly and fenerly. Item, xx lib. of filuer that I lent to the faid Bifchop, for the quhilkis I haf Tom Mudy and Wat of Carnegeys obligaciouns; Item, xij lib. the faid Byfchop tak of myn fra Donald Clerk at the markat; Item, my fee the faid Bifchop is awand me fen he fyrft enteryt, that is to fay 3erly xx lib. Item, Alexander the Crounaris fon aw me for the tend of Dail Thurro, and the byrun, with uthyr gudis that he tuk of myn, that cummys to iiij^{xx} of markis and mair. Item, Henry the Crounaris fon au me for tendis and ky that he tuk of myn xl markis and mair, as vetail wes fauld in the countre that tym. Item, al my dettis of Cathenefs and Suthyrland as thay ar wrytin in my compt bukis. Item, the Erl of Suthyrland tuk of my gold, filver, jeoullys, clethyng, fermys, mal, yrn, and uthir gudis, mair than a thufand pundis, quhat first quhat last, atour his lettres and feil and bodylyk athis, befor natable witnes, the quhilkis I have to fchaw for me. Item, the Vicar of Tayn had my meel that I left in myn ynnys³ in Tayn, and all the beir that I had grouand in Tayn. Item,

¹ *Wedy*, probably from the Danish *widde*, a band or chain; and in Ihre's Lexicon Suio-Gothicum, we find *Iaernwidior*, catenæ ferreae.

² *Borous*, that is, persons who become cautioners or sureties.

³ *Yn*, *ynnys*, a dwelling, lodgings.

Maister William of Rofs au me x markis that I lent hym, borouys Alexander Mychelson, Donald Maktyryffon, and Henry Donald Begfon. Item, a hundreth pundis that I lent to Sir Androu Tulaych umquhil Chantour of Murray, for the quhilkis I have my Lordis of Rofs oblygacion and my Lord of Orknays; thar of wes payd to me xx lib. be my Lord of Rofs. Item, Nycol of Tulauch, John of Hauyk, and Eduard of Tulauch au me xx lib., the quhilk I have thar oblygaciones of, for the Erlden of Orknay. Item, the Erle of Huntle aw me for xvij chalder of bere and thre chaldyr of quheyt, and a hundreth wedy of yrn, the quhilkis bere and quheyt I fold to Rychard of Ruthyrfurd for half a mark ilk boll of bere, and the quheyt for viij s the bol, and ilk wedy of yrn for ij s; Item, xl lib. aucht me be the said Erle of Huntle that I lent hym, for the quhilkis I have twa obligaciones of hym under his feil patent. Item, the Lard of Loranstone, my sifter son, aw me iiij^{xx} of lib., for the quhilkis I have his obligacion, and xxiiij s for xij wedy of yrn, bourth Alexander Froyg. Item, Maister Walter Idyl aw me fourty markis. Item, Henry Bannerways ayrs iij lib. Item, Theman of Abirden ij chalys; Item, a chalys in my kyft in Tayn. Item, John Bullok v lib. of the ald dettis, and xij lib. for a hundreth wedy of yrn. Item, the Lord of Hyrdmanston xx lib., the quhilkis gif he payis nocht fal ryn apon the Landis of Nosa. Item, Sanderis Frog au me xxviiij s. Item, Sir Androu Wyfchart aw me aucht pundis. Item, Huchon Alexanderfon aw me for his wyfis hosttend bayth of filuer, gold, corn, horsis, ky, oxyn, jeoullis, and uthyr gndis. Item, the Lard of Tuleuard aw me vj lib. that I lent hym. Item, Makyntoyf aw me iiij^{xx} lib. of my malls of Clauzetharn, that tym that I had the thryd of Murray, and Wat Tomfon of Innernefs, John Makyntagart, and Thom Anguffon, borouys for the said iiij^{xx} of pundis.

Hec sunt Debita que debet.

In the Fyrst, to the Vicar of Werk for tendis a marc; and til Eduardis barnys iiij^{xx} of lib., outtakand sa mekle as I have payt til Kenzouch his son.

I, ALEXANDER OF SUTHYRLAND OF DUNBETH, feyk in body, hayl in mynd, makis my Testament in this manner. In the fyrst, I gif my faul til Almychti God of hevyn, and til his bleffit modir the glorious Virgyn Mary, and til al the haly company of hevyn; my body to be gravyt in the College Kyrk of ane hie and mychti Lord, Wilzam Erle of Cathenefs and Orknay, Lord Sinclar, &c., in Rosslyng, ner quhar hymself thinkis to ly, quhar the said Lord Erle thynkis spedful. Item, I gif and I leyf till a preft to sing perpetually for my faul in the said College Kyrk x pundis of annual rent zeirly; that is to say, vj markis and vj ß of annual rent that I had fra Robyn Gray of Leyth, of the quhilkis vj markis thar lyis fifty ß worth zeirly in Louranston besid Leyth, and xx ß of the Landis of Leyth in the self, the quhilkis wes the said Robin Grays, and xxvj ß zeirly of the landis wes James Tayljouris lyand in the Canongayt: And gif it happynys the said landis to be quyt out, I gyf and I affigne the mone to my Lord Erle of Orknay and Cathenefs, &c., and til his ayris, to by sa mekle annual as the mone extendis to. Item, I gif a hundreth lib. to my Lord Erl to by ix markis of land or of annual, to fulfill furth the said festment: And gif it happynys that the saids sex markis vj ß of annual may nocht be bruikyt be law to the festment of the said Chappellan, I ordan myn executoris and myn ayris, to fulfill to the said Lord and the sayd College, vj markis worth of annual, in als convenable a place, or else als mekil mone as wil by als mekle annual in als gaynand places: And gif it happynys at the said hundreth pundis will nocht by the ix markis worth of land or annual, I ordan myn executouris to gif als mekle mar to the said Lord Erle as fulfill the ix markis worth of land forsaid or annual; and the said Lord to ger the said Chapellan incontinent syng for my faul as he wil answer befor God. Alsua I gif and I leyf a hundreth pundis of mone that the Abbot of Feyrn hafis in kepyn, to the byggyn and reparatioun of the said College Kirk, and the said Lord to by me throuch stane to lay upon myn grave. Item, I geve and I leyf of the landis of Ester Kyndeifs zeirly, til a preft to syng for me and the Lady my wif

in to the Chanonre of Rofs perpetual; the quhilkis vj marks fal be tan up be myn ayris or affigneis, and fal be payd at twa ufual termes of the 3er, that is to fay, Witfunday and Mertymes, to the faid Chapellan. Item, I geve and I leyf to the Chanonis of Feyrn for a Mefs, wyth not of the Requiem, to be done dayly for my faul perpetually, vj markis of ufual mone of my landis of Multayth and Drumnern, and falzeand of thame of my lands of Dumbeth, to be delyverit at twa termes of the 3er, as is befor faid, to the faid Chanonis be myn ayris or affigneis. Alfua I geve and I leyf to my fon, Mafter Alexander of Suthyrland, Erfden¹ of Catheneis, the twa hundreth pundis that Sir James of Werk hafis in kepyn of myn, my faid Son pafland for me in pilgrimage to Sant Peter of Rome, and to do the thyngis for me and my faul that I have chargit hym under confeffioun, as he will anwer befor the hyeafte Juge upoun the day of Doum, as he wes obliff to me. Item, I geve and I leve to be brynt in wax in the day of my fepultur viij ftan. Item, I ordane thrie eln of brayd clayth to wynd me in. Item, xvij pennys til ilk preft that cummys to myn erdyng and fays Mefle for me, and ij ſ to thame that cummys ofer,² and vj d. til ilk an that redis the Salter for me. Item, I ordan xxxⁱⁱ Trentallis to be faid for my faul, of the quhilkis viij in the Chanonre of Rofs, iiij in Feyrn, iiij in Tayn, iiij in Dornouch, iiij in Kynlofs, and vj in Orknay. Item, I gif and I leve to my Lord the Erl of Rofs xl liſ, xvij chalder of bere, the bol fald for half a mark, thre chalder of quheyt, the bol fauld for viij ſ, and a hundreth wedy of yrn, the wedy fauld for viij ſ, the quhilk the Erl of Huntle aw me, of the quhilk I have his obligacion of xl liſ., and the bere, quheyt, and yrn, he tuk fra my childyr in Abyrden. Item, I geve to my Lord Erl of Rofs xl liſ. of it at Makyntoyfs aw me, he beand gud lord, manteynar, fupplear, and defendar to my barnes executoris and affigneys, and all my kyndmen and fervandis, and to fupple my executouris in the gettyn of my dettis. Item, I gif and I leve to my Lord Erl of Catheneis

¹ As Archdean of Caithness, he appears a witness to Charters in the year 1476.

² *Ofer*, or *o-fer*, from far, from a distance.

and Orknay, and Marjory my douchtir, and to the barnys gottyn and to be gottyn betuix thame, the thufand lið. that the Erl of Suthyrland hes of myn, and is awand me, or quhat at may be recoveryt tharof. Item, I gif, I leyf, and assignys to the barnes gottyn and to be gottyn betuix my said Lord Erl of Cathenefs and Orknay, &c., and my douchtir Marjory, al the landis that I have in wedfettyng of the said Lord Erllis wythin the Erledom of Cathanefs, togidder wyth all the rycht and clame of wedfettyng that I have and had to the landis of Nofs, wyth the pertinents, and to the landis of Turbufter, wyth the pertinents; the maylls and profitts of the said landis to remain to the use of my said Lord and Douchtiris barnys, ay and quhil thay be quyt out be thame or thair ayris that layd thaim to me; and quhat tym at the said landis be quyt out the mone to be disponyt and turnit to the use and profyt of the said barnys, the quhilkis I have made my affigneys to the said landis, males, and mone, as my letter of assignatioun mar fermyllie proports in the self. Item, I gif and I leyf and assignys to my son Robert, half the landis of Jaxton, and half Skaldouthmure, liand in the Meyrnys, quhil at he be payd apoun a day as the letter of reverfione proportis of the some. Item, I geve and I assigne to my son Nycolace, Dallzanze and Berydal, quhil he be paid of the some of xvij markis, and thre 3eris male bygane. Item, I gif and assignys to my sone Edward, all my landis of Catouch and Broenach, quhil he be pait of the some as the letters of reverfion proportis. Item, I leyf and assigneis to the said Edward, Gillzecallogil and Strabrora, quhil he be paid of the some as the letters of reverfion proportis. Item, I gif and assigneis to my sone John, the landis that I haf in wedfettyng of the Medyltone, in the Meyrnys, and xl £ worth of land 3erly that I fuld have of the Lard of Kynnard, quhether the said John wil have it in Kynnard, or of the bord-land of Skelbow, quhil the said John be pait as the letters of reverfion proportis. Item, I gif and assignys to Donald Bruntouch half the aylhous of the tour of Gouspy, quhil he be payt of famekle as it drawys to. Item, I geve and assignys to my douchtir Marion al the lave of

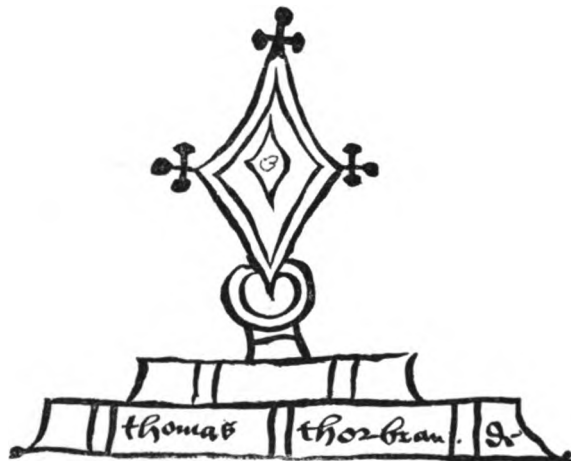
my landis that I have undifponyt upone, and fa mony ky, ald and zong, as I have wyth Aytho Faurcharfone, or wyth Mackay Benauch, and fa mony ky as fcho aucht to have of Williame Polfonys ky. Item, I lef til Kateryn of Chaumer, and Elynor my douchter, xxx^d ky. Item, Kateryn my douchter xii ky and xl li^b. of it at the Lard of Louranfton aw me, I gif, lef and affignys til her marriage. Item, to Jonet, my douchter, xvj ky. Item, to Marjory, my douchter, xxiiij ky. Item, I gif, levys, and affignes to my fon the Erfden, al the ky that I have in Clanok, and my gray hors, the quhilk ky and hors wes gevin and fald to hym ij zeris fen, for the quhilkis I put this in his awn place in kepyn for the froytis that I tuk of his benefice. Item, I geve and leyfe to the Crounar a horfis. Item, to Robert, Nycolace, Edward, and Johne, my fonnys, ilk ane of thame a horfis. Alſaa I geve and I leyfe to my Lordis the Biſchopis of Orknay and Ross the remanant of the hundreth li^b. that I have thair obligationes for, ilk ane of them fyndand a preft for me to fyng ij zeris, and for the layf to ger do for my faul, as thay wil anſwer befor God, as ſum tym I truſtit in thame. Item, I leve xl li^b. to the Lard of Loranftoun, of the ſome he is awand me. Item, I leve to Kateryn of Chaumer, the aucht pundis quhilkis the Erfden of Orknay aw me, and the xx li^b. that Nycol of Tulauch, John of Hawyk, and Edward of Tulauch, aw me. Item, I gif to Donald Bruntouch, iij ky and a mere; Item, to Will Baxter, iij ky; Item, to the Shera a kow; Item, to Safe, v ſ; Item, to the wyf at kepis me, v ſ. Item, I leyf all my clethyng in to the diſponying of my ſone and executour the Erfdene of Cathaneſs, to diſpen thaim as I chargit him. Item, I gif and I leyf to my ſaid Lord Erl of Cathaneſs and Orknay, xl pundis of the bonage grottis at the Abbot of Fern has of myn, and fyfty li^b. worth of my corn, catel, and uthyr gudis and dettis that ar aucht to me in Cathenes and Orknay, that ar undiſponit upon, for his gud Lordſchyp done to me, and for to be done to my barnes, executouris and affigneys, and for the expenſes that he has made upon me, and in my querell. Item, I geve and leyves to my ſone the Erfden, xl li^b. of the bonage grottis that the Abbot of Fern has of

myn, and fyfty lið. worth of my corn, catel, dettis, and uthyr gudis that I have in Cathanes and Orknay that ar undisponit upon, he to be gud trayft and helplyk freynd til his Moder, Brotheris, and Sisteris, and to do and fulfyll certane thyngis quhilkis I commandyt him to do for my sayd Lord Erl as thay bayth knawys. Item, I geve and I lef ane of the chalys that Theman has to the College Kyrk of Roslyng; Item, I gef the tother chalys that Theman has to Sant Mawnis altar in Kyrkwayl, and the said chalys to be giltyt. Item, quhat gold, joells, or uthyris gudis that I have nocht expremyt in my Testament, na nocht disponit on befor my disceffe, or forzet in ony mannys handis or kepyn, I will and I ordane that my said Lord Erl of Cathanefs and Orknay, and my son the Erfsen of Cathanefs, dispone upon the said gold, joellis, and uthyr gudis be thair discresciounes for my faul, and uthyr wayis as thay think spedefull. Item, I gif and I lef to the Bischop of Cathanefs and to the reperacione of Sant Gilbertis Kyrk, al my fee that he is awand me fen he was first Bischop, except xl lið. Item, I gif and I leyf to the said Bischop to syng for my faul and to confyrme my Testament xx lið. Item, I gif and I leyf my croys of gold to Marjory my douchtir, and at sche ger do a trentall of messis for my faul. Item, I gif and I lef my fylvar collar to Sir Gilbert the Haye,¹ and he to say for my faul x Salteris. The lave of al my gudis expremyt in my Testament, that I have nocht disponyt upon, I put in the disposicion of myn Executouris, quhilkis I ordane a venerable fadir in Crist Fynlay Abbot of Feyrn, Master Thomas Louchmalony Chancellor of Ros, Master Alexander of Suthyrland my son Erfsen of Cathanefs, and Alexander of Stratone Lard of Loranston my sifter sone, that thay dispone upon the forsaide gudis as thay will answer befor the Hee Juge on the Day of Doum. In wytnes of the quhilk thyngis my feil is toset to thys present Testament, the day, 3her, place,

¹ Sir Gilbert Hay, Knight, the translator of various works from the French, both in prose and verse, has already been noticed in the present volume, *supra*, p. 64. Dunbar includes his name among the Scottish Makaris, or Poets. At this time Sir Gilbert Hay was residing at Roslin Castle, and was a witness to this Testament: See page 93.

and witneses befor writyn. And to the mar certificatione and witnesfing, I procuret the signes and subſcriptiones of twa worthy men, Master Thomas Thorbrand and Sir Robert Halywell publyc notaris, etc.

ET EGO THOMAS THORBRANDE,¹ Artium Magister, Clericus Glasguensis Diocesis, publicus auctoritate Imperiali Notarius, qui supraſcripti Teſtamenti conditioni bonorumque teſtantis legationi diſpoſitæ, et terrarum aſſignationi, ac etiam executorum in Teſtamento preſcriptorum ordinationi, nec non ſigilli dicti legantis aſſictioni, ceterisque omnibus et ſingulis, dum ſic ut præmittitur in preſenti Teſtamento dicerentur, agerentur, et fierent, una cum notario preſcripto et teſtibus in Teſtamento prenominationis preſens interfui, eaque omnia alia et ſingula ſic dici fieri vidi et audivi, ad instantiam nobilis viri ALEXANDRI DE SUTHERLANDE DE DUNBETH, conditoris preſentis Teſtamenti ac legatoris, in notam ſumpſi, ſignoque et nomine meis ſolitis et conſuetis ſignavi et roboravi, rogatus et requiſitus, in fidem et teſtimonium omnium et ſingulorum premiſſorum, anno, die, menſe, loco, et coram teſtibus in Teſtamento quibus ſupra.



¹ See note to p. 92. The name of "Thomas Thurbrande" appears among the Determinants, in the University of St Andrews, in 1450; and as a Licentiate, or Master of Arts, in 1451.

EGO ROBERTUS HALYWEL, Presbyter Sancti Andree Dioecesis, publicus auctoritate Imperiali Notarius, qui suprascripti Testamenti conditioni bonorum et testantis legationi dispositæ, et terrarum assignationi, executorum prescriptorum in Testamento ordinationi, sigilli dicti legantis afflictioni, ceterisque omnibus et singulis dum sic ut premittitur in Testamento dicerentur, agerentur, et fierent, una cum domino notario subscripto et testibus in Testamento subscriptis presens interfui, eaque omnia alia et singula sic dici fieri vidi et audiui, ad instantiam nobilis viri **ALEXANDRI DE SUTHIRLAND DE DUNBETH**, conditoris sive legatoris dicti Testamenti, in notam sumpsi, signoque et nomine meis solitis et consuetis signavi et roboravi, rogatus et requisitus, in fidem et testimonium omnium et singulorum premissorum, anno, die, mense, loco, et coram testibus in Testamento quibus supra.



THE TESTAMENT
OF SIR DAVID SYNCLAR
OF SWYNBROCHT KNYCHT.

AT TYNGWELL, X. JULY M.D.VI.

SIR DAVID SINCLAIR was the third son of William Earl of Orkney and Caithness,¹ Lord Chancellor of Scotland, by his second wife, Dame Marjory Sutherland, and consequently grandson of Alexander Sutherland of Dunbeath, whose Testament, made in 1456, immediately precedes this. From the attestation given on page 110, it appears that the following Testament had been translated from the Latin original in the year 1525. This copy was recently discovered by Mr George Petrie, junior, County Clerk, among a mass of old papers deposited in the Town-House of Kirkwall. When these papers have been carefully arranged and examined, there is reason to expect that many other interesting documents of an early date may be recovered.

The Testament is dated at Tyngwall, anciently the chief place in the Zetland Islands. It is situate a few miles to the north-west of Lerwick, which constituted part of the parish of Tyngwall, until it was disjoined in the year 1701. It obviously derived its name from the Icelandic *Ting*, or Suio-Gothic *Thing*, signifying a meeting or convention on public affairs. The *Law-Ting*, or Supreme Judicature in Orkney and Zetland, was accustomed to assemble there once a-year; and the place where the court was held, in the Valley of Tyngwall, was a small holm at the head of the loch, from which there was a communication to the shore by means of large stepping-stones. This open law-court was afterwards removed to some covered hall at Scalloway.² Tyngwall was formerly an Archdeaconry. The church was rebuilt towards the close of the last century, but several of the old monuments are still preserved.

¹ The year of his death is not stated. In 1476, he resigned the Earldom of Caithness in favour of his eldest son, William Sinclair, by his second marriage.

² See Dr Hibbert's Description of the Shetland Islands, p. 269, Edinb. 1822, 4to.

The property from which Sir David Sinclair derived his title, lies a few miles to the south of Tyngwall, in the parish of Dunrossness ;¹ and has been rendered classic under its modern name of Sumburgh, by Sir Walter Scott's "Pirate." In Timothy Pont's Map of Orkney and Zetland,² it is called "Swenbrugh," and "Swenbrugh head," and also, "The ancient fort of Swenbrugh." In the year 1470, when these Islands were annexed to the Crown of Scotland, a large share of the property was vested in the Sinclair family, which their descendants continued to enjoy until a comparatively recent period. The lands of Sumburgh, which form the extreme south point of the mainland of Zetland, passed by marriage to the family of Bruce in the early part of the seventeenth century.

¹ The most southern part of Zetland.

² In the "Atlas Scotiæ," published in Holland, in 1654, as a volume of Bleau's Atlas Major.

THE TESTAMENT OF SIR DAVID SYNCLAR OF
SWYNBROCHT KNYCHT.

IN THE NAME OF GOD AMEN:

BE it kend til al men and be knawin that I DAVID SINCLER OF SWYNBROCHT, KNYCHT, feik in my bodye nevir the lefs hail in to my mynd, makis my Testament in maner and forme as efter ffollowis. Item, In the fyrst, I leif and commendis my faule to God Almychte, in quhaiis protectione and defens I incal the blyffit Virgen Mare and al the Sanctis in hevyn. Item, I leif my bodye to be erdit in Sanct Magnus Kyrk of Tyngwell. Item, to proteir and defend my Testament I chuis and humblie praiifsoure maist Soverane Prince, KYNG JAMES throucht the grace of God Kyng of Scottis: In the quhilkis releuatioun of labouris I ordene discreit men, that is to saye, Richart Leik and Thorrald of Brucht veray executoris of this Testament, the quhilkis sal dispone my geir baytht vrettin and onevrettin as thai wil anfuer befor God. Item, the penchione of Dingvell and the Red Castell paiis thar dettis this zeir. Item, I leife na thing to my Lorde Sincler bot the penchione of Zetland for this zeir present, to the quhilk Lorde I geiwe and leiffis all the landis that I possessit efter my Fader deide in Zetland,¹ and my best siluer stope wyth twelffe stoppis inclussit in the famen,² wyth my schipe callit the Carvell wyth hir pertinentis, and twa fadillis. Item, I leiffe to my Ladye Syncler my myd stope of siluer wyth twelffe stoppis inclussit in the famen. Item, I leife to the sone and aire of Henre Lord Syncler my best silver stope with sex stoppis inclussit in the

¹ See Note 1, p. 105.

² These "stopes" were probably large drinking-cups or flagons, with projecting stops or divisions, also of silver, for marking the quantity.

famen, and wyth all the moveabill beiftis that ar contenit in the landis afor affignit to my Lord his fader. Item, I leife to my bruder Sir William Sincler Erle of Cathtnefs my innes in Edinbrucht wyth the pertinentis. Item, I leife to Sir William Sincler the Knycht my doublet of kletht of gold, and my gray fatein govne, wyth thre oftrecche fedderis. Item, I leiff to Allane Aitfone my blak govne of dammefs wyth filuer bouttounes, my graye scarlet hoiifs, and my doublet of doune crameffe. Item, I geive and leiffis to Gertrude my gret filuer belte and ane pece of kletht of gold the lyntht of ane Flanderis ellin. I leif to William Flete and his bruder Criste Flete my litill fchipe, wyth al geir, and al my landis in Orknaye, with my innes in Kyrkwall; excep Setter and Vachtfequyr, wyth houffis and uder pertinentis, the quhilk I leife to Alexander Brothvik, togedder with twa kye in Kyrkwall, and al the moueabill gudis in Schalpandfaye. Item, I leife to James Sincler capitane for the tym in Dingvell al my geir that is in Rofs, that is to faye, my harnes, govneis, klethtin, gold, filuer, beftis, corne and generally al that euer I haue thare, excep my red cote of weluote, the quhilk I leife to the hie alter of the Cathedrall Kyrk of Orknaye. Item, I leif to ilk Sone I haue fywe fcoir merkis land, and to ilk Dochter fyfte: and I mycht fchaw it now at this tyme, And gif I cannot fchaw it I command my executoris to fchaw it. Item, I leife to Thorrald of Brucht and to his wife and his airis ten merkis land in Glaitnefs, and xv merkis land in Linggo with all gudis thar contenit, and xxij merkis in Pappale, ten merkis in Brucht. Item, I leif to Richart Lesk twenty merkis landis in Cwndistay, and my Inglis fchipe wyth all geir. Item, I geive to William Spens all my landis in Gloppa, and xv merkis in Baltone. Item, I leife to Alexander Smeythtone xii merkis in Eiftrud, wyth all beftis that is thare. Item, I leife to Jhone Mude xx merkis, the quhilk I bocht fra him in Scatnefs, and the ful payment thar of. Item, I leife to Sanct Magnus Kyrk in Tyngvell the twa part of my blak welwofis cote, and the thrid parte I leife to the Corfs Kyrk in Dynrofe. Item, the chelleifs of Sanct Magnus in Tyngvell is in Dyngwell,¹

¹ Or Dingwall, in the shire of Ross.

the quhilk I command to be deliuerit. Item, I leife to Magnus Sincler my blew doublet, the brest fet wyth precious staneis, and my hude fet wyth precious staneis, and my goldin chenze the quhilk I weair dailly. Item, I leife to Jhone Aundowr twenty licht florens. Item, I leife to Peter Merchell my blak doublet of welloufs, and my rede hoifs, and my schort red cote of welloufs wythout sclewis. Item, I geve and leuis to my Sifter duelland in Orknaye al my gudis that ar in Pappay and Houfhe. Item, I leife to Doctor Jhone Oke twelfe ellis of yper blak, and twa roifs nobillis, and my sadell wyth the pertinenfs, the tane half of . . . and ane schort blak cote of welloufs. Item, I leife to Sir Magnus Harrode twa nobillis, and The Buk of Gud Maneris.¹ Item, I leife to the Proveft of Byrrone my fignet. Item, I leife to Thome Haa four merkis in Morra Nordammad. Item, the geir that is nocht disponit be efter the gift of my gud beneuolanfs, I ordinat to be deuidit betwixt my Soneis and Dochteris. Item, gif ony of my Soneis or Dochteris of myne disceffis wythout airis of thar awne body, thar part to be deuidit amange the leife of Breder and Sifteris. Item, the puir folk that come out of Orknay wyth me I leife thame thar awne land, or ellis alfs gude. Item, I leife to Segreit in Rorik twa pak of vedmell,² and twa kye. Item, I leife to the Halye Crofs in Stanebruch twa nobillis of the roifs. Item, I geive to Sanct Georgeis alter in Roffkyill³ my goldin chenze, the quhilk is callit ane Collar, the quhilk chenze the Kyng of Denmark gave me. Item, I leif to Thome Bofvell my best ,⁴ the quhilk come hame to me wyth my schipe out of Norrowaye. Item, ten pundis of gold to be paiit to Jhone of Veinde in Defert, the quhilk Henre Spens refaut. Item, xv merkis I

¹ No doubt the work under that title, translated from the French, and printed at Westminster by W. Caxton in the year 1487.

² Or *vadmell*, a species of woollen cloth manufactured and worn in the Orkneys; from the Isl. *vadmaal*, pannus rusticus.—*Jamieson*.

³ Boeskilde, anciently the capital of Denmark, and still interesting on account of its Cathedral Church, founded by Bishop William (a native of England) in the 11th century, and which serves as the burial-place of the Kings of Denmark.

⁴ Some word left blank in the original.

ordane to be paiit to the Inglistman that fauld me the schipe. Item, I leife to Jhone Boide the best pece of ane lynnein vobe, the quhilk I boucht fra the Flemyngis. Item, I leife the fruitis of my landis of this 3eiris crope to the pur folkis. Item, I leife to Sande Sincler my bruder sone sex ellis of grein claitht. Item, I leif to Patre Cuke and James Baxstair ten ellis of grein claitht. Item, I leife to Ingarcht in Cranfetter twa kye. Item, I leife to Henre Sincler my bruder son all my brutell bestis that is in Oxvoo. Item, I leife and commandis to geive to Jhone Glappayr ix merkis the quhilkis I promit to hym in his spouffage. GIFFIN AT TYNGWELL, the 3eir of God I^m fyfe hundretht and sex 3eiris, the aucht daye of the Vefitatione of our Ladye: thir men beand prefente, Sande Brothvik, Peter Merchell, Jhone Mude, Jhone Boide, Magnus Sincler, Peter Cuk, Alexander Smeithtone, wyth utheris mony findri and diuers.

ITA fateor ego DOCTOR JOHANNES OKE de Gesteria me ascultaffe,
et concordat de verbo ad verbum cum suo illoso originali;
quod fateor manu propria, etc.

Haec est vera hujus originalis copiata five collationata de verbo in verbum, ac translata de Latino in Anglicam linguam, haud in ullo discrepans, sed per omnia concordans, per me Dominum JACOBUM SCUILL, sacra autoritate apostolica notarium publicum, sub anno Domini millesimo quingentesimo xxv^o, die vero sexto mensis Augusti, hora quasi quinta post meridiem vel eo circa, presentibus ibidem venerabilibus viris, Roberto Flet, Domino Georgio Dufe, Alexandro Paulfone, et Andrea Sanger, cum diversis aliis formaliter; sicut stat omni meliori forma qua potui, et etiam roboravi meis signo, nomine, cognomine, et manuali subscriptione quibus utor.

JACOBUS SCUILL, NOTARIUS PUBLICUS.

THE DIARY
OF JOHN LESLEY,
BISHOP OF ROSS,
APRIL 11—OCTOBER 16, M.D.LXXI.

IN an article in the last edition of the *Encyclopædia Britannica*, and since republished in his "Lives of Scottish Writers,"¹ Dr Irving has given a copious account of the life and writings of Bishop Lesley, one of the most devoted and confidential adherents of Mary Queen of Scots. In this place it might be sufficient merely to refer to that portion of his life when the following Diary was written. It may be stated, however, in a few words, that JOHN LESLEY was born in 1527; and that being educated for the church, he obtained various preferments, secular as well as ecclesiastical. In the twentieth year of his age, he became a Canon of the Cathedral church of Aberdeen. He spent some years in France; and having returned to his native country, he was appointed Professor of the Canon Law in the University of Aberdeen. He afterwards became successively Official of Aberdeen, Parson of Oyne, one of the Lords of Council and Session, Commendator of Lindores, and Bishop of Ross.

In September 1568, Bishop Lesley, as one of Queen Mary's Commissioners, took an active share in the proceedings at York. He afterwards appeared at the English court as her ambassador; but having engaged in the Duke of Norfolk's conspiracy this involved him in disgrace; and he was committed at different times to the custody of Grindal, Bishop of London, Cox, Bishop of Ely, and Horne, Bishop of Winchester.

The two following letters have recently been published by Sir Henry Ellis, in his Third Series of Original Letters:² they are interesting as exhibiting Lesley's behaviour during his confinement, while they show that the English prelates were most unwilling that such guests should be entrusted to their charge.

¹ Vol. I. p. 122. Edinburgh, 1839, 2 vols. post 8vo.

² Vol. III. pp. 365-367. London, 1847, 4 vols. small 8vo.

" SIR,

" I praye you moste instantlye to be a meane that I be nott troubled with the Bishoppe of Rosse: he is a man of fuche qualities as I lyke nothyng att all. Yf nedes I muste have a gheste, I hadde rather kepe M^r Hare stille. The Deane off Powles his wiffe and howfeholde is att Hadham; he himselfe, is commonly with me att meales. And iff it please you to knowe myne opinion *in genere*, surely I thynke it wer goode that fuche as deserve to be committed, shulde be fente *ad custodias publicas*.

" Experience declareth thatt none off them are reformed, which are fente to me and others: and by receyvinge off them, the punishment lighteth apon us. Godde kepe you. From my howse att Powles, this Sondaye mornynge, betwene 8 and 9, imediately after the receipte of your letter 5 Febr. 1569.

" Your in Christe,

EDM. LONDON."

" To the honourable Sir William Cecill,
Knyghte, Secretarie to the Quenes
Majestie."

" Ryght Hono^{ble},

" The woman of Cananæa thorow her moche importunitie obtained for her daughter deliuerie from a troublesom sprite. The grieve that growethe towardes me by a troublefome sprite caufeth me to be a more importune futer to your Honor for my deliuerie from soche a deuelleshe sprite as my house is possesst withall. I praye your Honor therfor help me, that this devill were ridde out of my house. My trust is that your Honor will have me remembraunce, and I shall not forgett in my praiers to the Allmightye to beseeche him hartilye to defend and deliver you from the malitious practises of all your spritishe foes. At my house by the Clink, in Southwerk, 14 Novemb.

" Your Ho. to comāde in X^o,

ROB. WINTON."

" To the right hono^{ble} my verye good Lorde,
the L. Burleighe, highe Treasurare of
Englande."

At length Bishop Lesley was sent to the Tower of London; but he obtained his liberty in November 1573, upon the condition of his leaving the country. The latter portion of his life was spent in various places abroad—in Flanders, Italy, and France. He died at Guirtenburg, two miles from Brussels, on 31st of May 1596, in the 69th year of his age.

The following Diary, hitherto unpublished, is preserved in the British Museum, MSS. Cotton. (Calig. C. III. Art. 1.) It may be compared with the later portion of the more formal and elaborate Report addressed to Queen Mary, of his Negotiations in England, from September 1568, dated from "the prison called the Bloudy-towre, within the Toure of London," on the 26th March 1572. It was published in the third volume of Anderson's "Collections relating to the History of Mary Queen of Scotland;"* and bears the following title:—"A Discourse, conteyninge a perfect Accompt given to the moste vertuous and excellent Princesse, MARIE QUEENE OF SCOTS, and her Nobility, by JOHN LESLEY, Bishop of Rosse, Ambassador for her Highnes toward the Queene of England: Of his whole Charge and Proceedings during the time of his Ambassage, from his entres in England in September 1568, to the 26th of March 1572." Pp. xxvi, and 252.

* Edinburgh, 1727-28, 4 vols. 4to.

COMMENTARIA DIURNA JOANNIS LESLIE, EPISCOPI ROSSENSIS, LEGATI SERENISSIMI MARIE SCOTORUM REGINE IN ANGLIA.

xj *Aprilis* 1571.—My Lordis Gallovay and Leveinfowne departit furth of Lunden toward Scheffeld to the Queenis Majestie, quhair thaj arrivit the xiiij day, being Pasche evin. I tereit at London.

xij *Aprilis* 1571.—William Leslie of Carny departit furth of Lunden toward France. That same nycht, James Cunneingam arrayvit with fure word that Dunbartan was taken, and my Lord Fleming eschapet, and my Lord Sanctandrous in handis quha wald be execute.¹

xiiij *Aprilis* 1571.—Jhone Chefholme departit toward the Queene with letters. Charles Balze² was takin at Dover with certaine printed buikis in Inglish for Defens of the Queenis Honour³ and Title; and some packedis

¹ John Hamilton, Archbishop of St Andrews, was conveyed to Stirling and hanged publicly on a gibbet, 7th April 1571.

² "Charles Baily a Fleming, servant to the Q. my Mistres."—*Negotiations*, p. 163. "And assoone as I heard of his takinge, I caused make such labours and meanes at my Lord Cobhams hands, being Lord Warden of the five ports, that the principall packett of letters was rendered to me, and others made to their quantitie and similitude which was delivered to the Counsell in place of them.—*Ib.* p. 164.

³ This was the work by Bishop Lesley, entitled "A Treatise concerning the Defence of the Honour of the right high, mightie, and noble Princesse, Marie Queene of Scotlande, and Dowager of France." The edition referred to, was published under the assumed name of "Morgan Philippes, Bachelar of Divinitie," at Liege, 1571, small 8vo.

of letters quhilk war delyuerit till my Lord Burghly; and Charles was put in clois prefone in the Marfchelfea.

xiiiij *Aprilis*.—My Lord Burghlie declared to me albeit the Queene haid commandit me till depart towart the Queene my mistres, zit he had obtined licens to me to remane.

xv *Aprilis, being Pasche day*.—I passit in the morning till my Lord Burghly, and requestit him to be good in the mater tuiching Charles.

xvj *Aprilis*.—Robert Makefone and Melchior, the Spanes Ambaffadouris secreter, passit till vife Charles, and was haldin prefonaris in the Marfchelfea. Bot Melchior was relivit within ten dayis, and Makefone still kepit two monthis thereafter.

xviiij *Aprilis*.—Charles was examinat be the Concell, and was send to the Towre, quhair he was pute on the rak and racked a little, and thairefter careit to the court and examinnet agane, and returnit to the Towre, and pepair and ink giffin him to wreit his awin depositions: all that tyme I maid continuallie suite to the Concell for him.

xxj *Aprilis*.—I wreit to my Lordis Lecester and Burghly, complenand for the racking of Charles, and that the president and example was evile till all ambafadouris; and the Frenshe Ambaffadour send to Court to assist my former complent. And that same day the laird Garteley departit towart the Queene with letters, and ane packed of letters from my self to mony of the Nobiletie of Scotland, that no fault fuld be imput onto me that the Treatie tuik nocht better effect.

He borrowit fourtie pundis sterleing from Acerbo de Vitelly, for the quhilkis I am becum cautionar till be payit within fax monethis, and I haf Gartleis obligatione for my relief.

xxij *Aprilis*.—Jhone Chesholme arrayvit from the Queene with certane packeddes of letters to France for him and Capitaine Muire, P.D.

xxvj *Aprilis*.—Jhone Chesholme, and Capitane Muir, and Jackes, the Frensheman, departit from Lundoñ toward Ry, and so to France.

I lenit to Johne Chesfolm thre pundis, and to Capitane Mure thre lißs. striueling, to be payit to me agane, ut patet per obligationes eorundem.

Primo Maii 1571.—That day began gryt triumphe and justing befor the Queene at Vestminster; quhilk day I tuik the first fitte of my feaver at ix hours at nycht, with ane gryt veirines, cold, schattring of tyeith, and thair efter a gryt hait, quhilk held me all that nycht. The same day Mr David Borthik and Mr Williame Arthe arrayvit with letters from the Queene.

2° *Maij*.—Doctouris Caldvall and Goode com and visitit me, and declared I had the agew, and prescryvit remedeis, and that same day cauffit minister ane clyster.

3° *Maij*.—I hade the 2 futte.

4° *Maij*.—A vayne of my rycht arme was oppened. I laten bloud, ten or xij unces. The said day arrayvit Williame Fuller, Michall Gilbert, and vtheris marchandes, and brocht letters from the Queene, makand mentione that my Lord Schrewesberrie was commandit to keip hir moir strait, and hade pute new ordour till hir servandis; quheirupone I fend till my Lord Burghlie the letters that I refaued, and defyred him till get answer of the Queenis Majistie of all thais particularateis, and delyuer the same till George Dowglas, quha was till repair toward the Queene; quhilk he did.

5° *Maij*.—I tuik my 3 futte.

6° *Maij*.—I tuik medecin, and George Dowglas departit toward the Queene, quhairwith I fend letters, and sic packedis as I hade resaued from France.

7° *Maij*.—I had the 4 futte of my ageu; and thair arryvit from the Queene Mr Nynean Vynnart, the perfoumer, Gileis Reid appointit till remane with me, and Gilzeam, Frenshman, to pas into France, and Lowrence Gordon apuntit be his fader, my Lord Gallovay,¹ to go to Camarage.

8° *Maij*.—I wreit at lynth in Scotland till Leidtheintoun, Huntlie, Grange, and Robert Melving, and fend thame be ship with ane marenall callit Smyth; and tuik ane cleyfter the same day.

9° *Maij*.—I hade the 5 futte.

10° *Maij*.—The Frenshe Ambaffadour come and visitat me in my feiknes, as he did very oft.

11 *Maij*.—I had the 6 futte of my agewe.

12° *Maij*.—I resauit letters from Mr Thomas Maitland to be fend to the Queene, and letters from Mr George Hackert, quho fend me sum bookes with Thomas Covy, viz., *Theatrum Orbis Terrarum*, contining all the chartes that ar prented, with the Epistilles of Antonio de Gueuerra, in Spaneis and Frenshe; with ane rym of fyne paper.

13° *Maij, Sonday*.—I hade my 7 fitte.

That day efternovne, I lying feik in my fitte, thair com to my lodging the Erle of Suffex, Lord Burghlie, Sir Walter Myldmay, and Sir Ralph Saidlar, quha askit at me many questions, to the quhilkis I anferit as feamit most reasonable and conuenient to me. And than presentlie they did

¹ Alexander Gordon, Bishop of Galloway.

sequester all my servandes from me, faiffing two, to depend upone me in my chalmer, and apoynted two gentlemen of the Queenis servandes, callit Mr Kingismyll and Maister Skipwith, to attend upone me in my howse, and that none fuld go furth nor cum in. Thai visitat my studie, quhairin all my principale wretinis was, with ane litill coffer with sum jewuelles thairinto, and tuk the key thair of with thame, and sealet the door; and tuik with thame ane wretin buik of the "Defens of the Queenis Title and Honour," to confer with the prent book to see yf thai war conform. I made a minute of this conference.

I deliuered to my Lord Burghly the copie of certaine lettres writtin be Mr Randolph into Scotland aganis the Queene of Scottis my Maistres, and complenit thairupon.

14° *Maij*.—Efternounge the Queenis litter was brocht to my lodgyng be hir awin servandes, quhairin I was careit to the Bischope of Ely's howse in Holburne; quhair I remanit, and two servandis with me, with my cooke boy, and haid all my awin furniture, and maid my awin chargeis during my residens thair. Thair was one of the Bishopis servandis appoynted to be cator to by my meat, and all necessaries to me; and the said two gentlemen did continuallie attend upon me, quhil the 17 day of August that I departed from London.

15° *Maij*.—I hade my 8 fitte; and George Dowglas arryvit in the towne from the Queene, and brocht ane packed of letters direct to me; quhilk he delyuered to my Lord Burghly, with ane memor till by sume graith to the Queene. Maister Fouller wreit to me to haif his lodging delyuered onto him, ^{N^e.—MR FOU-} becaus of my absens, and that my servandis fuld haif the vther lodging to ^{LAR PAYIT.} remane into quhair my Lord Gallovay and Leveinstowne was; and to that effect he did speik with my Lord Leicifter and Burghlie, that no impediment fuld be maid be reasone of the studie that was loked and sealet. I wreit to him answar at lynth, and that I wald pleis hym in that, becaus I was to

pais to Elleintoune, quhen I gat my libertie ; and commandit my fervand to gif him £11, 13s. 4d. for the byrune mail of his howfis, as is continit in the dobbill of the letter quhilk I wreit to him.

16° *Maij*.—Sir Walter Mykdma and Sir Thomas Smyth com and fpak with me, at the command of the Concell, and told me, thai hade bene with the Spaneis Ambassadour, inquiring him, gif I hade delyvered him any letters ; and askit me, quha maid the booik of the Title. To the quhilk I maid reasonablen answeris, as is to be feine be the minutes of that conference.

17° *Maij*.—I hade the 9 fitte.

18° *Maij*.—The packed of letters was fend to me, quhilk George Dowglas brocht be the Concell cloifs, quho willit me till tak the Queenis letters direct on to me, and to fend the remanent to thame agane ; and efter that I haid oppened the packed and red the Queenis letter, I fend the same and all the rest to thame agane, becaus thai war onlie letters com from the Erles Caffilis and Egleintoune, and otheris, compleining on the Erle Lenox for the putting of thais two Erles in vairde during the Abstinence and treatie ; and defyrit thame till caus the Queene thair Soverane put remeid thairto, becaus it tweched hir in honour to have that Abstinence kepit, quhilk hade beine so many vais brokin. But I culd haif no answer thairto ; and becaus thair was credit commit till George Dowglas, I defyrit that he mycht be sufferit to cum and speik with me.

19° *Maij*.—I hade the 10 fitte.

Sondai, 20° Maij.

21° *Maij*.—I hade the 11 fitte.

22° *Majj*.—George Dowglas com and fpak with me in prefens of my keiparis, and told me of the Queenis estait, and that Mr James Boyd had beine thair and returnit in Scotland, and that adverteifment was cum thairfra that the Erle of Argyle, the Lord Boyd, and many utheris, was cum to Edinbrucht; and that Mr James Kircady was faiffie landit at Leith,¹ and convoyit to the Castell be the Lord Boyde, and all that he brocht; and that Lenox was in the Abbay, quhair he intendit to hold his Parliament; with fundre uther lyk adverteifments; and that the Frenshe Ambaffadour had audience the day preceeding, and that he himself hade presented the letter wretin to the Queene in George Dowglas favour; bot the Q. Ingl. wald not grant to writ to Lenox for his favouris at this present.

That same day, the moift part of the Lordis of the Concell com and dynit with the Bishop of Ely, and fend me word be my two keparis, that Maister Randell was callit before the Concell to anwer to thaife copeis of letters quhilk I hade giffin in, and that he anwerit, that he rememberrit not that he hade wretin ony fuch letters in Scotland; and thairfor thay inquyred me, gif I hade the principalles to be produced. I anwerit, that I truistit the principalles was in the Queene my Mistres hands, and that I wald vreit for thame so I myght haif my letters convoyed.

23° *Majj*.—I hade the 12 fitte of my agew; and maid ane letter to be sent to the Queene my Mistres, declaring my estait, defyryng hir to vreit to the Queene for my libertie, and to fend Maister Randellis letters, or els hir awin anwer to the court; and wreit ane letter thairwith to my Lord Burghly, defyryng him till fend the same till the Queene my Mistres be the ordinar post, or els to gif ane passport to one of my awin to pass thairwith, and to returne with anwer. Mr Kyngifmyll did present theis letteris to my Lord Burghly.

¹ From France: He was the brother of Sir William Kirkaldy of Grange, and was executed on the same day, after the surrender of Edinburgh Castle, which they had so gallantly defended, 3d August 1573.

24 *Maij*.—George Robyfone paffed to court and fpak with my Lordis Lecefter and Burghly; quho told him, that no ordoure wold be tane in my effayres quhill the Parliament war endit. Quhilk nicht thair com neuis that Mr Androw Leslie, my cufing in Aße [Aberdene?], was deceified the 20 of Aprile, to my greif. This fame day ane cariar paffit to the Queene, with quhom M. N. wreit of my eftait.

25 *Maij*.—I hade the 13 fitte of my agew. I receaved anfuer from Court to reforme fome wordis of my letter, and to fend it be a fervand of my Lord Shreuberes, quha departit the 27 day; quhilk was done.

26 *Maij*.—I had a fitte, being the 14; bot it was bot licht, and therupon I wan a nycht cap fra Doctour Calduell, who faid I fuld have no mair efter the 12.

27 *Maij*.—I was more fast, and gat a cliftre, and efter that had no more fittes.

28 *Maij*.—I had no accels or fitt in effect.

29 *Maij*.—I pafft furth firft to tak the ayre, bot was veray feble, and very [weary] or I culd retorne to the houle from the gardin.

30 *Maij*.—The Queene of England pafft to the Parliament, and endit the fame; in the quhilk, contrare to the expectation of many, she wold not conferme any Actes pafft for more extreme ufing of the Religion, and fundry others.

I was virie all that day for my paffing furth the nycht precedyng.

30 *Maij*.—The two Doctours, Calduell and Good, was with me, and gafe every one of thame 12 angell nobillis for thair panis, *inde*, 12 liß.; and to

thair apothecar, 4 liʒ. or therby; and to the barbour that oppined my vaine, ane angell; fumma, 16 liʒ. 10 sh. sterling; and thai promesed to retorne as I fuld have ado.

Then begouth I to reid the Historie of Polidorus Virgilius Anglie, partly be my self, and sumtymes caufit my fervand reid to me; quhilk was compleitly red before the 16 of Junij thereafter following, wherin I lerned many notable hiftoreis necessarie to be knowen.

Primo Junij 1571.—I was trobled with a deflux and distillation humours from my head, quhilk maid me to have fore teith, and a gryit havines in my body, with a reast and constipation; and so continewit quhill the 6 of Junij, that I was constrained to fend for the phificians againe.

6 Junij.—The two Doctours begouth a new cure, and gave me thrie dayis following preparatives for a medicine.

Sunday, x^o Junij 1571.—They gafe me a potion of medecine quhilk was the most vehement that ever I gat in all my tyme, quhilk provoked me both to vomiting and other purgation, wherby I was mervelous feik.

My Lord Burly fend me word that thair was letters cummin to the Q. Ingl. for my liberte, fra the Q. my Miftres, and I fuld heare of them within three or four dayes.

xij Junij 1571.—Thair was prepared a bath-fatt for to bathe me intill, quhilk cost 30 sh., and efter I had used it I lenit it to Doctor Good, quho hes it still in keping.

xiiij^o. Junij.—Efter the forsaide purgatione, I tuik the baithe twa fundrie dayis preparit with heit watter, and findrie herbes, sic as red roses, vialet, laiffis, camavyne, malvis, quhilk was hotte with the water, bot not put in the baith-fatt, but the watter fythed throw ane cloith; quhairin I tareit the

space of ane hour nereby at every tyme, and thairefter laid in bed and dryit, and ordinat to fleip.

xvj^o *Junij* 1571.—A skarmish in Skotland, betwix Edinburgh and Leith, betuix Huntly, Hwme, and thair cumpany, for the Queene, against Morton and his cumpany, baith the parties drawin to the feildis be the Marshell of Bervik, Sir William Drury, onder colour of a concord, quho stude by and did behold them. The Lord Hume was taken, the Abbot Kilvynning flayne, Capitane Cullane, and mony otheris taken.

The King of France had writen to the Queene of Ingland for my liberte, quhilk his Ambassadour hed delyverit, the day preceding, to the Queene in his audience.

And this day I was fend for at 7 of the klok at nycht, and passit with my keparis to the Erle of Suffex howse; quher the Erle, my Lord Burghlie, and Mr Knollis, thesaurer, did inquire me of sic things as was demandit abefor, with uthers, as is contanit in the minute thairof, put be me in writ; and thay promised to move the Queene for my libertie.

The same day, the Lord [Laird] of Skeldon, Jhone Dryfdell, and Alexander Eskyne, arryvit from France with letters from Jhone Chifholme, and Jhone Dauidson, and James Davidfone, requiring anfuer to be fend to Jhone to Flanders, and to James to Paris.

Sunday, xvij Junij.—I pat the examinatione in forme, and fend the copy therof to D. I begouth to reid Confessio Augustiniana, quhilk is tanquam Epitome omnium Operum diui Augustini.

xviii^o of *Junij.*—I writ to Scotland to Lid. Gr. V. M., in ane ship with Thomas Ramsay.

xix *Junij.*—William Leslie of Carny aryvit from France. Letters fra y. t. φ, Thoma Chifholme, and M. D. C. A.

xx° *Junij*.—Capitane Bukell com fra Scotland with newis of the forfaid defait betwix Edinbrucht and Leith, and with letters defyring support, wherupon James Cuninghame was still awaiting at London.

xxj *Junij*.—Ghalmer aryvit from the north partis of Scotland, with letters from fundry my freinds and fervandis, of particular effaires, and woord of the dethe of the Lard of Geycht.

xxij *Junij*.—I wreit to the Queene to be fend with Skeldon (dat. 20 Junij) with the copy of the last examinatione; bot he went away the nixt day without my letters.

I wreit a lang letter to the Queene of England for my purgation, her fatisfactione, and defyring my libertie ut patet, dat. 23 Junij; and two letters to my Lordis Lecester and Burghly, to present the fame; quhilk thay did, and the anfuer was promefed within three dayes.

xxiij *Junij*.—I wreit to D., and fend therwith the copy of my letter written to the Queene of England. Lecester told G. Robeson that I fuld have libertie shortly, albeit my lyfe was, and that he was still my friend. William Leslie made fuite to speik with me, bot culd not have it; gat hard anfuer fra Lord Burghly, and faire speches fra Lecester.

This day Jhone Chefolm departit furth of Diep toward Scotland, with money and munitione.

Sunday the 23 of Junij.—Midfymmer day.

Letters fra xx, and fra the B. Dumblayne, and Mr Alexander Chefolm, and fundry others.

25 *Junij*.—I wret to Glasgo¹ be the 9 pacquett at lenth.

¹ That is, to James Beaton, Archbishop of Glasgow, then resident at Paris.

26 *Junij*.—I wrait to my Lord Burghly to folicit the Queene to gif me anfuer, becaufe the three dayes was past, allegeing the verfes of Horace—

Ut nox longa, &c.
Diesque longus opus debentibus,
Sit piger annus pupillis, quos dura
Premit custodia matrum.¹

27 *Junij*.—I wrait in to Scotland, to Mr Alexander Lesly, anfuer to all the letters reffavit with Chalmer, and letters to D. Gr. Rob Melving, to certifie of all; but wer not fend quhill 29 Junij 1571.

28 *Junij* 1571.—I wrait to Glasgou with Johne Dryisdale.

29 *Junij*.—Letters fend to Lid. Gr. Rob Mel.,² with a marchand of Dundee.

30^o *Junij*.—The forfaidis letters sent to Mr Alexander Lesly with Alexander Zoung, to be delyverit to Johne Lyl of the Nachtane.

This day thair airyved ane gentillman callit Monsieur de Arange, capitane of Monsieur D'Anjowis gard, at London, with a brave cumpany. His meffage was to treate with the Queene of England for the marriage of the Duke Anjow:

And he hed credit and commiffion from the King to fpeik for the Queene of Scotland, and for my liberte.

¹ Ut nox longa, quibus mentitur amica, diesque
Lenta videtur opus debentibus; ut piger annus
Pupillis, quos dura premit custodia matrum.

Horat. Epist. Lib. I. i. 20.

² That is, to Maitland of Lethington, Kirkaldy of Grange, and Robert Melville; but many other initials, and figures written in a kind of short-hand, that occur in this Diary, have not been decyphered.

Sunday, primo Julij 1571.—I wrat to the Ambaffadour to congratulat the cuming of the gentillman, wifhing I war as I wont to be, to do him fervice and plefour in his Majefties affairs. Thair audience was differrit, becaus the Queene was feik.

2° Julij 1571.—The French Ambaffadour and the faid gentillman had audience. Amonges other thair affairs, thay fpak for my delyvery to my Lordis Lecefter and Burghly; bot the anfuer wes delayed.

3° Julij.—I reffavit advertifment cuming fra Scotland of certan challenges for fingular combat betuix the Lard of Grange and young Garleis,¹ in Scotland; and certan articles of Abftinence betuix the Duke of Shatullerault and Lenox, be the mediation of the Merfbell of Berwik; and becaus thay culd not aggrie in Scotland therupon, therefore, both ther offeris was fend to the Q. to advyfe.

4° Julij.—I wrot to Glasgo, with Johne Dryisdale.

5° Julij 1571.—I wrait a lang letter to my Lord Lecefter for my liberte, and one to the Lord Burghly; quhilk Maifter Kingifmel delyverit on the nixt day, being the fext day, and had anfuer of them both, that within two dayes I fuld be put to liberte.

6 Julij.—Hary Cobham arryved fra Spayne.

7 Julij 1571.—The Q[ueene of] Ingland removed to Hampton Court. They war fo biffie that we culd have no refolution; bot delayed, whill foure or fyve dayes be pafte.

Michell Gilbert com to the Court, and fend me in his ringis and tabletis cumin furth of France, to be fene gif I wold be [buy?] ony of them.

¹ Alexander Stewart, younger of Garlies. He was killed at Stirling in September following.

8 *Julij*.—Thair was letters vritten with Michell Gilbert. VI wreit to ð and his cumpany, be M. Gilbert, of the occurrences.

9 *Julij*.—I did reid the Actis of Parliament newly sett out by this laft Parliament ; amonges quhilk, the first conteynis mony claufes veray extreme and prejudicial to D., as may be ivell confiderit therby, specially in the word demand, and for fpeiking of a fuceffour, and for bookes, ut patet. .

x° *Julij*.—The Franshe gentelman capitane departit toward France, and, as is reported, no gryit hope of the mariage.

Cutbert wreit me a letter that the money quhilk I left with him is neir done, and therfore defyris me to provyd for more furnifing. And therfore I wreit to Mr Lefly of Carny to pas to Court and futte for my liberte, and for a pafport, to fend ane to the Queene for ordour taken for more furniture, and that he wold fend down the keay of my study with ane of his awn, quhair thair is fum money that will ferve for fum tyme, quhill we fend to the Queene and gett anfuer.

xj° *Julij*.—Newis that the A. is offendit, that Leith is fortified mor ; and, in cafe Chefolm be taken, and the fhip in quhilk he his convoyit, in the cuntrey it will move him more.

xij° *Julij*.— . . com to the . . hous . . . I reffeivit a letter for the V. M., that H. C. had gotten ane cauld anfuer for M., quhilk was the better for D. and N.'s effaires, zit to caus . . N. liberte.

xijj° *Julij*.—William Lefly advertift me that he hed bene at Court and fpak with my Lord Lecefter, who gaf him good wordis ; bot my Lord Burghly was gone to his hous in the cuntrey, and wold not retorne for 8 dayes. . It is certane that Johne Chefolm and Virak is taken, with all the money and munitioun that they caried into Scotland.

I wrait to D. anfuier of the letter, quhilk I had reffavit fra the Queene, of the dait the 28 of Junij, with a ticket of the 5 of Julij.

xiiith *Julij* 1571.—The V. G. past to Hampton Court, whair he hed audience and complaynit upon the fortification of Leith as aganis the treteis betuix the three realmis; defyred ordour to be taken for the Queenis liberte, and als me to be relefit. He reffavit no direct anfuier bot for me; quhilk was, that the Queene wold caus anes yit examine me, and thereforth send me to my Miftres, and fra that into Scotland.

Michell Gilbert offered to caus reffave money fra me here, and give in Edinbrucht v li. vj sh. for every pound sterueling; bot I wold have had v li. x sh. and likwyse to give so mekle as fuld be reffavit here from Scotland. He differred to the cuming of his good sone, Nicoll Vdwart, bot he said he wold anfuier it in Deip, quhilk is most sure. He affermed the fylver is mekle fynar and better shaipe in Paris nor in London, to be bocht.

Sunday, xv Julij.—The v. 9. send me his audience in wreit, and I wreit againe thanks for my part.

16 *Julij* 1571.—I was adverteift that Sir Thomas Stanley, Sir Thomas Gerard, Mr Volson, and Hall was examinat, and put in the Towre.

17 *Julij.*—My Lord Burghly retorned to Court, and Mr Kyngesmeill past with my lettres to my Lord Lecester and Burghly, to remember to get me the Queenis Majesties resolution, quhilk was promiseit fuld be fend from Hamptoun Court.

18 *Julij.*—I reffavit letters fra D., with ane copy of ane letter fra the Bishop of Galleway to the Queene, of the estait and procidinges in Scotland. Newis, a Parlement halden in Edinburgh the 12 of Junij be the Duke of Shatillo, Huntly, and utheris, with croun, sheptour, and fwourd;

the Queenis dimiffion maid null, the Queene restored, and proclaimed at the Croffe be Haroldis with thair coittis of armoure; and of the maner of the skarmifhes.

Item, certaine articles for ane abstinence taken betwix baith the parteis in Scotland. Ane Parlement be Lennox to be haldin in Stirling, and ane be the Queenis partie in Edinburgh, the third of Auguft, and money fummonit to be forefalted in them baith.

19 *Julij*.—I wreit to D. of all occurrentis with George Robifone, and that the Frenshe Ambaffadour hed reffävit money fra y to be fend to the Queene, wherof he defyrit ane acquittance and he wald delyver it.

I wreit to y, and fend him the copy of the Bifhop of Gallewayis letter and the articles from Scotland.

20 *Julij*.—Robifone departit toward D.

21 *Julij*.—I red a booke in Inglis, newly prented, for the defens of Apparell of the clergy, bering certane letters of Bullenger, Petir Martyr, and M. Bufer and others, quhilk the Bifhop of Ely willed me to reid.

I red the book of the new Statutes sett out in this last Parliment, bering fundry aëtes worthy to be noted for examples to govern a commounwealth; fpecially concerning the miniftres of the Kirk, that none be promoted before he be xxiiij zeris of age, and bachelour in theologie, to be a precheour or preift. That no leaffe or tak be maid of any ecclesiasticall benefice or landis, or poffeffiones partening therto, bot for xxj zeris, or thrie lyfes. Nota, a lyfe is accounted heir bot v zere; for in bying of purchaffes, the commone ufe is to gif fywe zeris purchaffe, as they call it, which is fywe zeris proffit for a lyfe rent, and xx zeris purchaffe for heritages.

Item, ane Statut for usurie, that in all bondis, contractis, and lones, it fall not be lefum to tak bot 10 for the hundreth in the zeare.

Item, the aët for fraudfull alterationes and bankruptes.

Item, for fugityves from their cuntrey for conseyence sak, or otherwyfe to loffe their goodes and benefeit of their landis.

Item, Nota, an acte maid for preservation of the Queenis Majestie of Ingland, and for her seurty, wherein the Queene our Mistres is touched for the Tytle.

Sonday, xxij Julij 1571.—I had a book, intitilat De Theologo, feu de Ratione Studii Theologici, Libri 4, Andrea Hyperio authore; quhilk I begouth to reid.

Item, G. Rob. deperted toward D.

xxij Julij.—A. Cuninghame went into Scotland with anfuer to Lennox, to keip quyetnes quhill new adverteifmente.

Mr Henrie Keir arriuit from France, and broht me crydeit from Glasco, and fend me ane new buk of Histories, Nostri Temporis ab anno 1500, usq, in annum 1568, authore Laurentio Surio.

xxiiij Julij.—I receaved a letter from my Lord Setoun.

xxv.—A pasport refused to Keir, to pass towart the Queene; bot ane granted till George Dowglas, so that he depart shortlie thairefter furth of this realme. The Bishop of Ely dyned with me, and his wyfe and cumpany.

xxvj Julij.—I receaved lettres from the Queene, dated 19° and 21° Julij, bearing newis from Scotland, writen at Edinbrucht, 2° Julij, defyring sup-
port of money.

xxvij Julij.—Diligence maid with Ambr. to satify the contentis of D. lettres.

xxviii Julij.—G. Rob. arryvit with letters from D.

Sonday, xxix Julij 1571.—Lettres fent with George Dowglas to D.
Lettres fent to δ and Grange, be my Lord Herys.
Lettres fent to my Lord Setoun.
Lettres fent to Hamyltoun.

30 *Julij 1571.*—I lennit twenty poundis to William Lesly upon his obligation.

G. Douglas departed toward the Queene.

Ultimo Julij 1571.—M. H. Keyr made me advertifment of the defyres of M., D., Th., Q., Flemyng, and of the ——

Primo Au^u 1571.—W. Lesly pafst to Court, and Monsieur Saborine to travell for an anfuer of my liberte.

I was requyred by Mr Skypwoth, in the . . . nayme, to fend the naines of all my cumpany; quhilk I fend in writ, extending to 25 perfones.

Venefon fend to me be the v. of France, ane quartar of red deir, quhilk was flayne be the Queene of Ingland, and fend be her to him.

I writ a lettre to my Lord Burghly, to remember him to get me ane anfuer before the progres, quhilk was fend to Mr Skipwothis fervand.

2^o *Au^u.*—Mr Skipwoth was fend to remayne with the Duke of Norfolk for ane day or two, becaus his kepar, Sir Hary Nevell, was lycenced to pas hayme to vifite his wyfe. Mr Kingefmell being ftill at Court, and fo no kepar left to await upon me bot my Lord Ely's fervandes.

I dynit with the Bifhop of Ely, and efter conferred with him upon dyvers purpofes, fpecially of an union to be maid in the Religioun be a Generall Counfell, quhilk is eafy, gif the Princes will apply them felfes therto.

Mr Painter, the Bishopis fervand, avaitted upon me during Mr Skipwothis abfence.

3 *Aug.*—Ane called Capitane Cais arryvit from Barvik with lettres from the Marfhell and Scotland, with newis that a part of the money that Johne Chefolme had was favely delyvered into the Castell.

Erlis Eglinton and Caffillis was put to liberte, onder condition they fall not bear armis aganis Lenox. Morton and Mar was wery of Lenox; that Lenox himfelf was very of his quartaris in refpect of the chargeis; yet ane Melvin was to cum fra him to requyre ayd of men to be fend be Queene of Ingland to them, or ellis they wold aggre with the adverfar. That Virak was keped with Lenox.

4 *Aug.*—Anfuer fra Court be the Ambaffadour of France and be William Lefly, that thair is no apperance of haifty liberte, ut patet per literas Legati.

Mr Skipwoth retorned at night.

Sunday, quinto Aug.—Mr Kingefmell retorned from Court to await upon me, and told me that my anfuer was delayed, becaus the Queene is not able to go to progres.

Lettres from Queene of Scotland, de dat. primo Augth, to the quhilk anfuer was maid prefently this day.

Sexto Aug.—Ane called Inglis, ane archer of the King of France gard, arryvit be fea, quho tellis thair was frequent fkarmufhes betwix Edinbrucht and Leyth, and the laft before his departing, thair was flane xxx on Lennox part. And told that Captane Cullane was beheadit at Leyth; and that the Lard Drumquhaffill was the occafione of the fending of the boit with the munitione to Streviling, quhilk was taken be the way, be Wormeiftowne; for the quhilk caus Lennox and Morton bofitit till

have hangit Drumquhaffill,¹ quho departed therfor fuddantlie to Dunbartaine.

7^o *Augusti*.—Mr Skipwoth departed toward Court, to folicit what he could for my liberte and his awn releif; and I wreit two lettres with him to my Lord Lecefter and my Lord Burghly. Bot he tareit at Westminster all night, and past the nixt day at morne to Court, and delyverit my lettres.

Octavo Augusti 1571.—I was fend for to cum to Hamptoun Court, quhair I past be watter, accompaneit with Mr Kingesmeil, and com to the keparis hous in the park at sex hours efter none; whair the Erl Suffex, Lord Chamberland, Lord Burghly, and Sir Francis Knollis, thesaurar, com and declarit to me the Queenis mynd, that she culd not presently put me to liberte, as she intendit, for fundry respectis. Therefore willed me to tak patience quhill the progress tyme fuld be done, and in the mene tyme that I fuld pass with my Lord Ely into the cuntrey to remayne. For the Queenis Majestie looked to reffave ane full anfuer from Scotland of sic articlis as was fend thether be her Majestie, wherof they culd not fend anfuer before they fuld hald ane full Parlement, quhilk was to be haldin the 28 of this instant; efter the quhilk the Trety fuld be begun agane, and I would be employed therto. Thair was fundry thingis inquirit of me, as touching Sir Thomas Stanley, ut patet, be the tenour of the conference.

I obteynit a passport to fend ane to the Queene to advertis her therof.

I was in Kingstoun all that night.

Nono Aug^o 1571.—I retorned to London, and the Frenshe Ambassadeur travailled ernistly with my Lord Burghly to stay me in the town;

¹ Cunningham of Drum.

and he gave him hope therof. George Douglas retorned from D., and broght lettres conform to the last, of the tenour of ð, and of the dait the **xxij** day of Julij, of all proceidingis and intention, and of the moyen that they have used in furnishing money.

Item, that the D. wreit to me anent St Andrese,¹ that she wold have providit therto, and wold labour the Duke Shatt. gude will to that effect. Bot I will anfuier in my nixt lettres, that I wold not have it for dyvers respectis. And confelit the Queene to give it Glasco,² and his bishop[rik] to ane of the D. Mað freindis.

This night the Queene begouth her progres, and past to Endein besyid Lundoun, and my Lord Burghly com to Lundoun.

I fend the double of my anfuier to the Frenche Ambaffadour.³

x Augth 1571.—I fend certain articlis to my Lord Burghly with Mr Kingismell with my lettre; and in the mene tyme he fend for me, and promesed to travell at the Queenis hand to obtain the same.

My Lord Burghly past to Court, at the Frenche Ambaffadouris hand, to labour my stay; bot no thing was done.

xj^o Augth 1571.—Advertisment of the Queenis spechis after my examination, and of **▲** wordis.

A pasport fend to Makefon, to depart towart D.; and a letter fend to my Lord Ely to depart of towne fhortly.

Monfieur de Foyx⁴ arryvit at London.

Sunday, xij^o Augth 1571.—I maid my despeshe to the Queene at Leyth,

¹ The See of St Andrews, then vacant by the death of Archbishop Hamilton, natural brother of the Duke of Chattelherault.

² That is, to promote James Beaton, Archbishop of Glasgow.

³ The French Ambassador was La Mothe Fenelon.

⁴ Mons. Paul de Foix, an envoy from France, with a proposed treaty of marriage.

viz., ane oppin lettre, with a discourse of the last conference at Hampton Court, and the Queene [of] Inglandis determination; desyring to knaw her plesour what fuld be done with the fervandis, and for furniture; with sic other advertiffemens as occurred for the tyme.

xiiij^o Augth 1571.—Makefon departed this morning with my packquet toward the Queene [of] Scotland.

No.—Mr Kingismell, and Mr Windebankis, Clerk of the Signett, past with me to my wonted logeing, and oppined my study dur and visitt the hole lettres that was in it, to sie gif thair was any that hed past betwix any of the subjetts of Ingland and me, bot none was found; and therefore they advertifit my L. Burghly, quha caused delyver them all to me the next day, with all uther thing that was in the study.

I appointed my fervandis to prepaire sic thingis as was to be taken with me in the cuntrey, and which ordour fuld be used for keping of the rest of my furniture and cofferis.

xiiiijth Augth 1571.—Angelo Maria, perfumer, and G. Robeson, past to Court; and I wreit with them to my L. Burghly for anfuer to my articlis; and reffavit his anfuer that same night therto, that it was the Quenis plesour that I fuld be honourably treated with my Lord Ely, with all favour, and have all maner of good ayr and intertynement neccessaire for my helth, having regard to my restrainet.

Item, that I fuld have with me two at least in my chalmer, and ane cook, yf I war scrupulous, and ane other to await on my horses.

Item, that I might impart my materis to the Fr[enshe] Amb[assadour] be letters, bot not be speche.

Item, that I might wreit oppin letters to the Q. my Mistres, to know of her helth and estate, so being the same was first send to Court.

Item, that the Q. Ingland wold not grant licence to G. Douglas to pass toward D., nor into Scotland; nor to Angelo Maria to pass to the D.

Item, that I fuld warne all these that did attend about me to depart with diligens out of the realme.

As to the rest of the articles, he send no anfuer to me, bot all was referred to my L. Ely's discretion touching my favourable usages.

This day I maid a letter, quhilk comprehendit a hole throch¹ of Lombard paper, in the Frenshe tounge, and wreit it and send it to the Ambaffadour of France; quhilk comprehendit the hail conferences with the Confell, and causes of my restraint; praying him and Monsieur Du Foys to trawell for the D. releve, and for her subiectis and my liberte. Mr Kingismell did reid it, and said, he never red ane better wreittin, of more pith and better order, nor it was. I send it with William Lesly of Carny, quha delyvered it to the Frenshe Ambaffadour that fame night.

I prepared silver wark to be carried with me in the cuntrey; ane silver baffle and lawer, ane salt falt, 6 silver sponis, two goblettis, and ane drinking pott gilt, which all was gottin fra G. M.²

Item, I cauffit reffave fra the Frenshe Ambaffadour, in the Q. my Miftres nayme, four hundreth crounes of the sone in ryallis, quhilk makis fax score pundis Stirveling: Wherof I reffavit bot forty pundis, and left with Cutbert the uther four score pundis, to outtred D. H. the Quenis servandes, and uther necessaries in the town; quhilk was all debursed and mair, ut patet per computum.

Item, I raifed a pasport for Theophilus and Chalmer to pas into Scotland.

xv^{to} Auth 1571.—The Frenshe Ambaffadour and Monsieur Du Foys past to Court. New letters sent to my L. Ely to depart with diligens; therefore he appointed Fryday to depart without further delay.

I forted all my letters that day, and took with me only bot the commif-

¹ A *throch* or *thruch*, a quire of paper.

² Probably meaning Michael Gilbert, who is previously mentioned at pages 128-131, an opulent goldsmith, and burgess of Edinburgh. He died 24th September 1590.

fionis gevin be the Q. Scot. and the Nobilite, to me and my L. Galloway and Levintoun for the last Treaty, with the Articlis, and the anfueris subferyvit and past at Chattifworth, and instructiones, quhilk ar in a trein buift.

Item, the K. Q. of France, and Monfieur De Anjow, Card. and Glasgaw testimonialis in a box of whyit yerne.

Item, certain copeis of oppin letters written fen my restraint.

Item, I put the principallis of the rest in a little coffre, which I left at London.

Item, all uther generall letters in a tronk, which remains with the rest of my graith.

And what was brocht with me of all furniture, is conteynit in ane inventair maid therof.

xvj^o Aug. 1571.—I wreit minutes of letters to the Q. Mr Alexander Lesly, Glasgo, feind the gift of James Gord. to be gevin to the B[ishop] of Aberden, be Chalmer.

I wreit to the Ambassadours.

I wold have left William Panton behind me to depart toward Scotland, bot Mr Kingismell wold not suffre him to be interchanged with Cutbert, quhill we fuld cum to Fenny-Stanton.

Fryday, xvij^o Aug^a.—I departed from Lundoun in cumpany with the B. of Ely, and com to Wair at night, and with me William Panton, Mr Thomas Lesly, Willie the cooke, and Theophilus.

Me^a. the money debursit at departing:—

Firft, to the B[ishope] of Elyis clerk of kitching,	.	.	x. s̃.
To his cook,	.	.	v. s̃.
To his portar,	.	.	v. s̃.
To his butlar,	.	.	v. s̃.
Item, before gevin to his portar,	.	.	v. s̃.

Item, to his cook,	v. š.
To his l.,	iiij. š. iiijd.
To Mr Skipwothis feruand callit Christophore,	x. š.
To Mr Kingifmellis feruand callit Nivenis,	x. š.
To Mr Skipwoth himself, ane gilt quhinger.	
To Mr Kingifmell, ane gilt quhinger, with a breid glafs to read withall.	
To Mr Wright, my catour,	xx. š.
To Mr Wingzebankis, Clerk of the Signet, who vifited the lettres in my studie, ane gilt quhinger.	
Item, amonges otheris fervandis in the place,	xx. š.
Item, my convoy hed from tyme to tyme,	iiij. liß. x. š.

To my own fervandis :—

To Alexander Zoung, at departing to Scotland, xxx. š. and before,	xx. š.
To James Murray, before, xl. š. and now,	x. š.
To William Bertley, to help to releve him of that he spendit in prifoun,	xlvi. š.
To Androw Chalmer, before, xij. š. and a coit ; and now,	xx. š.
To James Douglas,	xxvj. š.
Item, to Johne Cutbert, at his departing,	xl. liß.
Item, to William Lefly, at his departing to France, and fince that,	xxx. liß. xxvj. liß.
Item, to Alexander, the taylyour boy,	v. š.
Item, to Ramfey,	v. š.
Item, Gibbe a stand of clothis, coft xl. š. ; and now,	[blank] š.
Item, to Wille Inglis, cooke, to by him clothis at his de- partyng,	xxx. š.

I wreit with Mr Kingifmell to my L. Burghly, that I was departed

notwithstanding the gret clamour of the Quenis fervandis, praying him to have respect therto.

xviiij *Aug** 1571.—We com [to] Royftoun to denner, quhair Robert Makefon was arryved with letters fra the Queene, quhilkis was inclofed in my Lord Shreufbereis packet, directed to my Lord Burghly, and therefore I fend him to Court with the fame; and George Robefon with him, to rais a pasport to William Panton to paffe into Scotland. Reffavit sum other letters fra D.

We com to the Bishope of Elyis hous, callit Fenny-Stentoun, within five myles of Huntingtoun, at night.

*Sunday, xix Aug**.—Makefon retorned from Court with my awin packet clofed; and my Lord Burghly fend ane other packet that was thairwith to the Frenshe Ambaffadour, for it was directed to him.

In my packet there was ane letter to myself, with ane memoire for ordour taking with the Queenis fervandis, viz., that Mr N. Vingzet¹ fuld remayne with myself, Makefon to pafs into Scotland.

Parfumour and Polis to be ordourit by the Frenshe Ambaffadour; Laurence Gordon to be sent to Caimerage,² to the scooles; George Robefon to remayne at Lundon, gif it may be folifted.

The Bishop of Lincolne, callit Doctor Coper,³ com and dynit with the Bishop of Ely, efter he had preched in the church of . . . ; and I dined with them, whair we had conference of mony materis; bot the Bishop of Lincolne complayned feft that mony of his diocefs was favourable to the old religion, and wold not come to the service.

¹ Ninian Winzet for several years had been Master of the Grammar School of Linlithgow, but lost his situation, in 1562, on account of his adherence to the Roman Catholic faith. He afterwards became Abbot of the Scottish Monastery of St James, at Ratisbon, where he died 21st September 1592.

² That is, to the University of Cambridge.

³ Dr Thomas Cooper, afterwards Bishop of Winchester.

xx^o Augth.—I despatched Makefon agane to my Lord Burghly, and wreit with him, and fend the said letter and memoire to him.

Item, I wreit to the Frenshe Ambassadour, praying him to help to tak ordour for accomplyshing of the Queenis direction.

Item, I wreit to Cutbert Read to ansuer them of money to that effect, viz.—

To Makefon, to mak his journey into Scotland, and, as he was wont, to get fra the Queene xxx crounis of the fone.

To every one of them fuld pass into France, xx crounis.

To G. Robefone, gif he fall pass into Scotland, xxx crounis ; gif he passis into France, xx crounis ; gif he remainis, x crounis.

The same day, I fend Laurence Gordon to Camerage, with Mr Bell, tone of the chapellaneis of the Bishop of Ely. He was bourdit with Monfieur Chevalier, Lectour in Hebrew in Camerage ; and fuld pay every month three French crounis for his bourd, chalmer, candill, and weshing of his clothis. I gave him fyve pounds with him, to by hym clothes and necessaries.

Item, I fend to him with the carriar efteruart, 27 Augth, 3 li^{br}. to furneis the rest of his necessaries ; quhilk he reffavit, as he wreit to me with the same caryar.

xxj^o Augth.—I begouth to the repetition of the Greik and Hebrew tounge, and visited the rudimentis of boith, as tyme mycht serve. Conference with the Bishop of Ely anent the governement of commone weillis. He dyspyttis Johne Knox and Gudeman, with the band, for the wreittin aganes the Regement of Wemen, and otheris there singular opinionis, and holdis tham Puritanis. Goodman¹ is depryved laitly from his benefice and precheing for the same caus.

xxij^o Augth 1571.—Conference with the Bishop of Ely, quha counfeled

¹ Christopher Goodman. He had been colleague to Knox, at Geneva, where he published, in 1558, his well-known work—"How Superior Powers ought to be obeyed." He was for some time Minister of St Andrews ; but returned to England in 1565.

me to tak panes at my retorning into Scotland, to recover all the antient bookis that was in the Abbayes and Cathedrall churches, as the Archbifhopes of Canterbury¹ hes done in England, and to gather furth of them all thingis notable touching the Religion from tyme to tyme; and gif ther be ony wreit in Inglis toung or Saxon towng.

xxiiij^o Aug^o 1571.—I raid about the medowis with my Lord of Ely and his fervandis; shot at revaris and buttis, and faw the ryvar quhilk rynis neir by, and is partative to Lin,² quhilk is fourty myles be wattir. The Bifhop of Ely faid to me, upon the watir fyde, that I micht tak boitt in thair and pas to Ros be watter; bot he beleivit wele I wold not do it respect of the apperance that thar was no caus to depart in that maner, &c.

24 Aug^o 1571.—I did reid upon Hiperius in the mene tyme, and fum of the Byble every day.

25.—My Lord of Ely pafte to his chaffe and perk of Somersfame, and hunted a buk, and dynit thair, and returned at night.

I gave the principall huntaris a croun amonges them, becaus they killed a buk, and I gat the honour to cutt the firft cutt in his fkin, as the ufe is that honeftaft man in the company hes it.

Sunday, xxvj^{to} Aug^o 1571.—The Sheref of Camerage, callit Mr Hynnein, and Mr Maillery, quho was Sheref the 3eir precedant, dynit with the Bifhop of Ely.

I maid certanes verfis upon the hunting the day precedent, and gave them to Doctour Ty,³ doctour in mufic, for ane argument, to mak the fame in Inglis.

¹ Archbishop Matthew Parker.

² A branch of the River Ouse, which flows into the Wash, on the coast of Norfolk, not far from Lynn Regis.

³ Christopher Tye, perhaps the most eminent ecclesiastical composer during the Sixteenth Century. He was Musical Preceptor to Edward the Sixth, and was admitted to the degree

xxvij^o *Augth* 1571.—The caryar of Camerage brocht ane tronk, and bowes and quaveris, with uther furniture, fra Lunden to Stentoun, quhilk Cutbert Read and Mr Ninian hed fend before them.

I fend with the said caryar to Camerage, to Laurence Gordon, thre li^b., quhilk he reffavit, ut patet fupra.

xxvii^o *Augth*.—I had conference with the Bishop of Ely, quho did offer to give me friely certain thingis, sic as bread and beir, and uther small thingis of frindship. To quhom I anfuerit, Gif the Queene of Ingland will gif him any allowance to mak my charges, I will tak it glaidly, as the Queene my Mistres doeth; utherwyfe, it is nether my Mistres honour, nor her will, that I tak any thing of any subject. He anfuerit, He had hard no thing of the Queene nor Concell in that mater, bot he did offer it of freindship.

xxix *Augth* 1571.—Mr Ninian and Cutbert Reid com to Stantoun, and brocht a pasport for William Pantoun to pafs into Scotland.

Advertisement fra the Franche Ambassadour, that he and Monsieur du Foy hed bene wele treated at Court; et que la Royne, par l'advyse de fon Confeil, avoit accorde au mariage moyennant que Monsieur d'Anjou vouloit accepter fa religion, ut patet p^r fras ejusdⁱ. Et que retourneront encores a la Court.

Item, Jame Broun, Archibaldis fone, and Wille Lesle, Johne of the Briggis fone, was cum to Lunden.

Item, I reffavit two pair of perfumit gluffis, sent be Angelo Maria.

xxx *Augth* 1571.—I maid William Pontones depeshe for Scotland, and instructed him as was neccffar in all thingis.

of Doctor in Music at Cambridge in the year 1545. In 1553, he published "The Actes of the Apostles, translated into Englishe metre, with (musical) notes to eche chapter, to synge and also to play on the lute." In the reign of Queen Elizabeth he was Organist in the Royal Chapel.

The Ambaffadour of France and Monsieur de Foys was at Camerage.

I wreit to Nicolas, the Ambassadour of France fervand, and to William Lesly, to place Jame Broun with a wretar in the Franche tongue, in London, for thre moneth; and Wille Lesllie to remayne with . . . Leslie, or ellis to remayne with a horse cofar to learne to treate horses.

xxxj Augth.—William Pantoun departed towart Scotland. I wreit with him opin letteres—

To my Lord Herys.

To my Lord Galloway.

To Balquhane.

To Meldrun.

To Mr Alexander Lesly.

To Mr James Hervy.

To Mr John Chalmer.

To Mr Nicoll Hay.

To G. Gordon of Lefmoir.

To the Lard of Balnagown.

To Gartuln.

Patrik Leith.

Androw Lesly of New Lesly.

Item, in Cyf.

To Huntly.

To Atholl.

Herys.

Mr Alexander Lesly.

Item, I fend a lang memoriall with him of all my particular affairis, ut patet per copiam ejusdem.

Item, I gave four auld angell nobilis to be gevin to Janet Lesly of New Lesly.

Item, I appointed him to fend Chalmer agane with the first anfuer.

Item, I gave him ten li^ſ. to mak his expenſis in going and retourning, and fyve li^ſ. viij. s. more to by him a horſe by the Bordouris.

Item, I wreit with him to the Queene of Scotland, in caſe he ſhall ſpeak with her Maſteſtie be the way.

William Pantoun made rekning with the Clerk of kitching for all expenſis fence our departing furth of London, and payit him compleitly; and every Fryday the count to be gevin in, ut patet p compoſ.

Eodem die.—Incepi perlegere Grammaticam Hebraicam, autore Clenardo, aſſiſtente et cooperante ma^gro Niniano Winzet illius lingue ſatis perito.

Incepimus quoque legere Biblia, ſingulis diebus duo capita, in prandio et totidem in cena.

Idem, quoque Mr Ninianus incepit docere Grammaticam Grecam M^ro Thome Leſly, and repetere Latinam Grammaticam Cuthberdo Read. Et Gulielmus Coquus, et Theophilus equorum cuſtos, ceperunt diſcere alphabetum, ſic quod omnes exerciebamur in hujusmodi ſtudiis ad expellendum animi languorem.

Preter hec ſtatuiſmus ſingulis diebus mane et veſpere legere duo capita Novi Teſtamenti, preter noſtras quotidianas Preces, quas tenemur recitare prout fecimus quotidie. Et ſic cepimus perlegere Epistolam ad Romanos, et ſic procedendo uſque ad finem Apocalypſeos, quem abſolvimus, viij^o Octobris 1571.

Primo Sept. 1571.—Poſt habitis omnibus aliis negociis dedimus ſedulo operam lingue Hebraice, aliquando tamen a prandio diebus precipue Ariſtotelicis recreaviſmus animos, arcubus torquendo ſagittas.

Sunday, 2^o Septemb. 1571.—Mr Maleray and his wyfe, with dyvers uderis, was with the Biſhop of Ely, and I ſowpet with him.

Thair com a ſervand of Lord Burghly to the Biſhop of Ely with a lettre and a booke, new maid per Henricum Bullingerum, contra Bullam Papis-

ticam, publicatam per P. P. V., contra Elizabetham Reginam Angliæ, new printed at London, 1571; quhilk booke¹ the Bishop gave me to reid over shortly thereafter.

3^o *Septembris*.—Vacavimus studiis nostris.

Item, I wisited Bervely. Cuthbert Reidis countis.

4^{to} *Sept.* 1571.—The Bishop of Ely removed fra Stantoun and com to Somershayme, with his hole company and pleniffing, and I with him. And our hole furniture was caryed be cartes with the Bishoppis own furniture. And I was lugeit in a chalmer callit the Cardinallis chalmer, and dynit and foupit myself with the Bishop of Ely.

Incepimus legere Decem Precepta Decalogi, Hebraice.

Quinto Sept.—Dedimus operam litteris Hebraicis, et aliis privatis studiis, folito more.

Sexto.—Eo die mane cepit Ep̃us Eliensis venari damas tam in nemore quam in faltum, et sic quasi totum diem trivimus hoc recreationis genere.

Pransus sum cum dño Eliensi Ep̃o.

George Robeson arrayvit that efternone with lettres fra the Franche Ambaffadour, the Bishop of Glasgo, and oderis, quhilk I confidered that night. The Franche Ambassadour wreit that Monsieur du Foys was departed, and hes gotten a revard of silver weshell, worth 12 crounes; bot as to the mater he com for, it was incertane yf it wold tak effect, ut patet p̃ fras ejusd̃.

Item, that my Lord Burghly had advertist him that boith the parteis in

¹ The work here referred to, is entitled, *Bullæ Papisticæ, ante biennium contra Sereniss, Angliæ, &c. Reginam Elizabetham, Refutatio; Orthodoxæque Regiæ et Universi Regni Angliæ Defensio, Henryci Bullengeris.* Londini, apud Joh. Dayum, 1571, 4to. (Typogr. Antiq., by Herbert, vol. i. p. 653, by Dibdin, vol. iv. p. 124.)

Scotland was agreyit to hald a Parliment the 29 of August, efter the quhilk, neweis wold be fend hether.

Item, newis of the putting of Higford and Barkar in the Towr, for dealing with the Franche Ambassadour.

Item, George Robeson hes license to remayne at Lunden.

Robert Makison a pasport to pafs in Scotland and retorne.

Geilis and Perfumer to pafs into France.

I reffavit my huoh [knok?]

Septimo Sept. 1571.—I wreit to the Queene Majestie, and fend all the lettres quhilk I reffavit, to her for advertisment; and fend fum quenchis¹ to her to prove gif sho will have of them.

Cepimus legere primum et secundum Psalmum, Hebraice.

8° *Sept.*—Preter nostros diurni studii labores, visitavi a prandio cum Ep̃o Eliensi duas aut tres villas proxime adjacentes, equites paucis tamen comitatu famulis.

Dominica nono die Sept. 1571.—Preter diurnas preces, recitavimus nonnullas preces ex Liturgiis Jacobi et Bafilii, prout etiam superiore Dominica.

Et a prandio recreavimus animum arcu et sagittis, comitantibus M̃ro Adley capitaneo moranti in Sanct Tythis, et quodam m̃gro Overtoun, sagittariis peritis.

Abfolvimus duos primos Psalmos, Hebraice.

Mr Adley lenit me Maister Escame's² book callit The Scole Mayster, quhilk is worthy to be red.

Decimo Sept.—Preter grammaticam, incepimus Psalmum 118, "Beati immaculati," Hebraice, qui juxta supputationem Hebreorum, est Psalmus 119.

¹ Probably quinces.

² Roger Ascham: His well-known work, "The Scholemaster," was first printed at London, 1578, 4to.

Die xi° Sept. 1571.—Toto die studiis occupati, mane a prandio: m̃r Ninianus profectus est versus gymnasium Cameracense, ubi visitavit singula Collegia, et forum Sturbisfaire appellatum, et emit mihi nonnullos libros, cum aliis necessariis pro seipso et aliis famulis. Scripsi ad Lrd, et Grange, et Herys, litteras que misse sunt cum cive Edinburgenfi.

xij° Sept.—Rediit Mãr Ninianus. Eo die composui Epistolam Latine fatis longam mittendam Legato Regis Gallie, et aliam lingua Anglica mittendam Dño de Burghly.

xiiij° Sept.—Profectus est D. Ep̃us Eliensis versus palatium suum de Downhame, abhinc octo miliaribus distans, quem ego comitatus sum. Venabamur cum magni animi recreatione in suo saltum, ubi due dame cornute sunt occise.

xiiij° Sept.—Visitavi templum cathedrale Eliensis civitatis, quod est magnifice extructum columnis marmoreis; ubi est etiam capella beate Mariæ exitu triumphali insigniter elaboratum, et due alie minores capelle eadem arte egregiæ. Palatium quoque ipsius Ep̃i amplum et decorum fatis. Vidimus quoque et turrin in medio templi quam lanternam vocant, arte geometrica summa industria erectum; nec non et molendinum in monte manufacto situm.

Est et ibi Scola grammaticalis insignis et preceptor eruditus, qui habet ultra trecentos discipulos, et inter reliquos comitem Bathiensem.

Et vespere sumus reversi ad Summersham. Venit ad me Gallus quidam Cataplactorum artifex, qui unum vulgo Crosbow composuit Regine Scotie. Cui ego duodecim aureos solares numeravi pro dicto arcu: ut patet per acquitantiam ejusdem.

Scripsi cum eodem ad famulum Legati Francie.

xv° Sept.—Rediit famulus Ep̃i Eliensis a Londino, qui litteras meas

dedit Nicolao et attulit res quasdam Wiffo Coco : unde intellexi ipsos accepisse meas literas.

Retulit ille Ducem Nor[folciæ] pro certo in Turri repositum esse.

Dominica xvj° Sept.—Præfatus sum cum Dño Eפו.

xvij° *Sept.*—Equitavi cum Dño Eפו Eliensi ad palatium suum de Dunningtown ; ubi venati sumus damas. Convenerunt ibi Vicecomes et alii Justicie Domini, inprimis Mr Balam et alii, pro refartendis ripis et littoribus fluminum et maris ; vulgo appellantur illi Sewaris.

xviii° *Sept.*—Convenerunt omnes clerici in insula habitantes coram Eפו apud ecclesiam de Dunningtoun. Interim ego comitatus vicecomite Camoracense vocat¹ mgro. ¹ persequutus sum venaticos canes et damas ; et a prandio reversi sumus ad Sumerhame. Venit me visitaturis quidam Scotus honestus fatis nomine Kar, qui habitat in vico proximo Dunningtoun nominato Le Marche, qui habet duos filios simillimos domino de Gosfuird feniori.

Accepi primum, Dominum de Lenox fuisse occisum in Scotia,² ut retulit Cancellarius Eפי.

xix° *Sept.*—Misi nuncium ad Huntingtounam, qui renunciavit pro certo Lenox occisum, et quod quedam negocia tractantur apud Reginam Scotie, sed ignoravit que essent. Idem ego suspicabar, propterea quod Robeson non rediit.

xx° *Sept.*—Venit nuncius quidam missus a Consilio ad Eפm Eliensem, qui attulit literas ad Dominum de Ely, signatas manibus dominorum Sussex,

¹ The name is left blank in the MS.

² Matthew Earl of Lennox, Regent of Scotland, was slain at Stirling on the 4th of September 1571.

Lecester, Bedford, Burghly, et Knollis, quibus mandarunt Ep̃o, ut ipse comitatus duobus honestis viris diligenter scrutetur omnia mea scrinia pro literis scriptis, furtivis notis, five cifris, vel aliis magni ponderis, aut momenti, et easdem in quodam loculo conclusas et figillatas mittat ad Consilium, cum viro ex meis famulis comitato altero ex ipsius Ep̃i famulis. Et statim Ep̃us accersivit suos Archidiaconum et Cancellarium, me infcio.

xxj^o *Sept.*—Mane, hora octava, ipse Ep̃us, illis duobus comitatus subito ingressus est cubiculum meum, scrutatus est literas meas, ac perlegit omnes. Ex quibus eas omnes, que ad Tractatum pertinent, et unam minimam literam in cifra scriptam, non tamen magni momenti colligavit, in capfula quadam ; et sequenti die.

xxij^o *Sept.*—Misi famulum suum secretarium cum Cutberto Reid famulo meo versus aulam Regine cum illis literis. Et interim ego scripsi lras dñis de Suffex, Leicester, Burghly, Camerarie, et Knollis, ut memores essent, se promississe mihi, in ultimo colloquio nostro apud Hamptonam, quod Regina deliberasset tractatum profequi, post vigesimum octavum diem Augusti, qui quidem dies indictus erat pro Parlamento tenendo in Scotia. Ideo rogavi ut mihi significarent quid expectandum esset in hoc negotio.

Illi deliberunt lras meas Dno de Burghly apud Valton, Regina tunc temporis hospitabatur.

Dominica, xxij Sept.—Incepi legere preclarum opus doctissimi nostra etate theologi, cujusdam nomini Maldonati Jesuite Hispani, Prelectionum ejusdem in Universitate Parisiensi, 1568, 1569, et 1570, quas dictavit suis auditoribus pro cursu theologico ; in quibus singule Questiones Theologice precipueque in Controversia sunt his temporibus doctissime tractantur, longe doctius quam ullus alius omnes antea docuerit aut scripserit Parisiis. Hic liber frequenter est volvendus.

Preter diurnas preces legimus, Sermones viri doctissimi nostre etatis

Egidium Topiarium Flandrium in eplam et evangelium hujus Dominice, et sic statuimus identidem facere singulis Dominicis.

xxiiij^{to} *Sept.*—Pransus est Vicecomes Cameracensis, cum uxore sua, cum Eפו Elienfi, ubi ego interfui.

Abfolvimus Psalmus centesimum decimum nonum, “Beati immaculati,” Hebraice.

Et incepimus perlegere cum nostra grammatica librum Ruth.

xxvj^o *Sept.*—Rediit famulus Eפי ab aula Regine, que erat in familia Dni de Burghly apud Waltoun, et attulit mihi literas a Cutberto Reid; in quibus scriptum erat, quod mandavit illi Dnus de Burghly, ut ille maneret quousq; detur illi responsum ad meas literas, et quoad restituantur ei omnes mee litere que allate sunt; quod promisit se facturum apud Richemond.

xxvij^o *Sept.*—Pransus sum cum Eפו. Et statim a prandio ille cum tota sua familia et omni supellestile profectus est ad Palatium de Downhame, ubi constituit hyemare; et ego illum comitabar illuc, quod quidem ab Ecclesia et oppido Elienfi est spatium duorum milliarium.

Interim eodem die accepi nonnullas lras a Cutberto et Legato Francie ac aliis, de presenti rerum omnium statu, et quod XX profecturus erat in Galliam statim, et quod Dnus de Levinstoun, Mr Thomas Levinstoun, Mr Jofes Gordon, Archibaldus Betoun, et quidam Didie Gallus, et multi alii dimissi sunt per Comitem Sarisburiensem, et compulsi proficisci in Galliam; et itidem Dna de Levinstoun, et uxor Jofis Levinstoun, et Georgius Robeson profecti sunt in Scotiam. Mandavit etiam Regina, quod Makefon, Angelo, et Gelis sint contenti ea pecunie summa, que illis meo nomine est oblata, viz., Makefon xxx aureis solaribus, et unicuique aliorum duorum viginti aureis solaribus, quos statim acceperunt, et sic profecti sunt in Galliam. Accepi itidem, Comitem de Mar electum Regentem Scotie. Et quod dure satis tractantur famuli Ducis Norfolcie. Et quod Banister questionibus adhibitus torturam

gravissimam passus est. Et quod magna inquisitio facta est Londini, de mandato Consilii, ut possint apprehendere meas literas, et precipue scrutati sunt singula que erant in domo Dni Jacobi Caldwell: sed nihil ibidem repertum est, quod ad me spectaret.

XX ante profectionem suam reliquit fasciculum literarum cum E. M.; in quo sunt claves precipue.

Misit ad me M. Jo. Gordon literas, cum quibusdam carminibus in laudem Regine S. scriptis. Interea examinatur ille per Consilium, utrum ille mediis aut praxi aliqua usus est inter Reginam et Ducem Norfolcie.

Inter alia, accepi literas a Roberto Melvill, nomine aliorum nobilium qui Edinburgi morantur.

*Die Dominica, ultimo Septembris*¹ 1571.—Examinatus est Cuthbertus Reid per Mgrum Thom. Smyt, de mandato Consilii, quem opinabantur consiliarii fuisse Joannem Cutbert, et eundem per triduum in porta ipsius palatii de Richemond per quosdam ex Regine guardis custodiri fecerunt; sed postea dimissus est.

2^o *Octobris*.—Ille accepit capsulam una cum literis omnibus a Dno de Burghly; sed nullum responsum de nostris negotiis, preterquam quod Regina Anglie nollet quidquam in presentiarum audire de negotiis Regine Scotie aut Epi Rossensis. Et interea in ipso Consilio etiam in presentia dicti Cutberti, Dnus de Bedford, Burghly, et Fr. Knollis, dura et aspera verba protulerunt contra Epum Rossensem, dira et adversa imprecantes eidem.

Eodem die, venit in cubiculum meum fero ipse Epi Eliensis, et attulit literas quasdam, quas acceperat a quodam suo amico de rebus Scoticis; in quibus de morte Lenox, et quorundam aliorum.

Quarto Octob.—Accepi pharmacum medicine purgatorium, quod paravit uxor Epi.

¹ In MS. *Octobris*.

Quinto Octo^{ris}.—Veritus ne Cutbertus detineretur captivus in Aula, misi literas cum quodam nuncio ad Legatum Francie, qui profectus est Londinum, ut possit me certum de statu rerum omnium facere.

Dominica, octavo [septimo] Octo^{ris}. 1571.—Profecti sunt duo famuli Epi Eliensis, Chepman Sey et alter, Londinum, cum quibus scripsi literas Nicolao famulo Legati.

Nono Octo^{ris}. 1571.—Rediit Cutbertus Reid a prandio, qui retulit mihi de statu rerum omnium, et de responsis illi per Consilium datis, prout superius habetur.

Ego interim hec omnia statim significavi Dno Eliensi Epi.

Attulit et libellum quendam famosum compositum per Georg. Bocha,¹ precipue contra Hammiltonios et Ducem Norfolcie.

Accepi et Epitaphium Anglice conscriptum Dni de Lenox, et nonnulla alia.

Georgius Douglas profectus in Galliam. **XX** falvus et incolumis trajecit mare, et est in Flandria, ibique mansurus ad aliquod temporis spatium.

x^o Octo^{ris}.—Cepimus diligenter perlegere ea que Maldonatus tradidit suis discipulis de Eucharistia: fusissime et acutissime disputat hac de re.

Cepimus etiam legere librum Petri Galatini de Arcanis Catholice Fidei, ex Thalmud et aliis libris Rabinorum; ubi multa arcana aperit ex fontibus Hebreorum, maxime necessaria ad intellectum Veteris Testamenti. Qui quidem liber, cum Veteri Testamento edito in magno volumine, per Rob. Stephanum, cum annotationibus Vatabli, sufficiunt ad intellectum textus Veteris Testamenti et omnium phrasium Hebraicarum.

xiiij^o Octo^{ris}. 1571.—Rediit nuncius cum responso literarum a W. L., quod Dux N. fuit examinatus, die Merc. *x^o Octo^{ris}*., per Bedford, Burghly, et

¹ Referring to Buchanan's tract, entitled "Ane Admonitioun direct to the trew Lordis, Mantenaris of the Kingis Graces Authoritie," published in the year 1571.

Knollis; et quod Regina est missura unum ex suis ad Regem Gallorum pro confirmatione matrimonii, saltem ad tractandum rursus desuper. Et quod Regina Scotorum transferretur ad castrum de Harfour prope Waire, custodienda per R. Saidlar.

Die Dominica xiiij^{to} Octo^{ris}. 1571.—Rediit famulus Ep̃i Eliensis cum responso literarum a Nicolao, quas mihi reddidit ipse Ep̃us.

Die Martis, xvj^{to} Octo^{ris}.—Venit ad Ep̃m Eliensem servus Regine, unus ex ipsius guardia, vulgo “zeman of the gard,” qui attulit literas a Consilio, ut mox idem deliberaret, quo[modo] posset me saluum conducere versus Londinum. Et sic paravi me ad iter, quod quidem cepimus die Jovis xvij^o Octo^{ris} 1571.

THE PREFACE
BY HENRY CHARTERIS
TO HIS EDITION OF HENRY'S WALLACE,
PRINTED AT EDINBURGH
M.D.XCIV.

VOL. III.

U 3

THE well-known work, in Scottish verse, attributed to "Blind Harry," the Minstrel, entitled "The Actis and Deidis of the maist illuster and vailzeand Campioun SCHIR WILLIAM WALLACE, Knicht of Ellerslie," was long considered as having first been printed at Edinburgh, "be Robert Lekprewik, at the expensis of Henrie Charteris," in the year 1570, 4to.¹ Of that edition the only copy hitherto discovered, preserved in the British Museum, is said to have belonged to Queen Elizabeth. Unfortunately it wants the title-page and preliminary matter. Charteris republished the work in 1594; and there can be no doubt that "the Preface," like the text, was literally reprinted from the previous edition of 1570. Of the later edition, only one perfect copy is known; and the Editor having obtained the use of it to supply the title-page, and some other defects in a copy in his own possession, upon finding the Preface to be wholly different from that prefixed to the editions by Hart, and other printers, it seemed desirable to have it preserved from the chance of casual destruction. The copy referred to was purchased in 1806, at the sale of the MARQUESS of LANSDOWNE's Library, by MR HEBER; and at his sale, in 1834, it was acquired by the late WILLIAM H. MILLER of Craigentenny, Esq.

The following Preface is interesting both on account of the historical notices which it contains, and the explanatory vindication of those fabulous passages in the Minstrel's Poem, which have imparted to his Work the character of a romance. The reference to Charteris himself, as descended from the family of Kinfauns, is also worthy of notice.

HENRY CHARTERIS, a well-known burgess of Edinburgh, for many years

¹ There was a much earlier edition, supposed to have been printed at Edinburgh, before 1520, of which unfortunately only some mutilated leaves have been discovered. See introductory notice to the republication of "Golagrus and Gawyne, and other Ancient Poems." Edinburgh, 1827, 4to. The words, therefore, at the foot of page 169, "the furthsetting and new imprenting of this work," do not necessarily belong to the edition of 1594.

carried on the business of a Bookseller. His predilection for the vernacular literature of the period is apparent from the various works which he published. His name first occurs in 1568, when "The Warkis of the famous and vorthie Knight, Schir David Lyndesay of the Mont, alias Lyoun King of Armes: Newlie correctit, &c." appeared, "Newlie imprentit be Johne Scot, *at the expensis of Henrie Charteris*: and ar to be sauld in his buith, on the north side of the gait, aboue the throne. Anno Do. M.D.LXVIII." 4to. To this edition, along with a prose Preface, he prefixed, in verse, "Ane Adhortatioun of all Estaitis to the reiding of thir present Warkis."¹ There are four or five subsequent impressions of Lyndesay, printed for or by Charteris between 1571 and 1597. Besides these, and his editions of Wallace, other poetical works were printed at "his expensis;" in particular, an edition of Henryson's Fables of Esope, in 1570, of Barbour's Robert the Bruce, apparently in 1571, of Rolland's Seven Sages, in 1578, and of Douglas's Palice of Honour, in 1579; and, judging from the extreme rarity of these volumes, probably various others, of which no traces are now to be found.

In 1581, Charteris with his business as a Bookseller joined that of a Printer; having acquired the stock and types of John Ross, then deceased. His name also occurs as one of the Magistrates of Edinburgh in 1589, when he filled the office of First Bailie.² He died on the 29th of August 1599, as appears from his confirmed Testament (including the Inventory of his Stock), which is printed at page 223 of the preceding volume of this Miscellany. His eldest son, Henry Charteris, one of the Regents, and afterwards Principal of the University of Edinburgh,³ not feeling inclined to carry on the business, it seems to have been transferred to his uncle, Robert Charteris, whose name is found on various books printed at Edinburgh between 1600 and 1610. One of these was a republication of Wallace, in 1601, an edition of nearly equal rarity with that of 1594.

¹ See Chalmers's edition of Lyndsay's Works, vol. i. p. 105.

² Maitland's History of Edinburgh, p. 386. Booke of the Universall Kirk, vol. ii. p. 742. Calderwood's History, vol. v. p. 4.

³ Craufurd's History of the University of Edinburgh, pp. 34, 52, 90, 111-113.

THE
LYFE AND ACTIS
OF THE MAIST ILLVSTER
AND VAILZEAND CAM-

PIOVN

VVilliam Wallace, Knicht of Ellerslie,
Mainteiner and defender of the
libertie of Scotland.

Cicero 2.de finibus.

¶ Laudandus est is, qui mortem appetit pro Republica,
qui doceat chariorem esse patriam nobis, quam nosmet-
ipsos.

Cicer.Philip.14.

¶ Proprium sapientis est, grata eorum virtutem memoria
prosequi, qui pro Patria vitam profuderunt.

Cicer.ibidem.

¶ O fortunata mors, quæ naturæ debita, pro Patria potis-
simum est reddita.

Ovid.2. Fastor.

¶ Et memorem famam, qui bene gessit, habet.



Imprentit at Edinburgh be Henrie Charteris.

M. D. XCIHII.

CVM PRIVILEGIO REGALI.



V N T O T H E G E N T I L

REIDER, HENRIE CHARTERIS WISHIS

PROSPEROVS HEALTH, LANG LIFE,
and perpetuall Felicitie.



YKE as in al natiounis from time to time (gude Reidar) hes flourischit monie Nobill and vailzeand men as amangis the Israelites, Iosue, Gedeon, Iepthe, Samson, David, the Machabeis: amang the Romainis, Brutus, Quintus Fabius, Scipio, Pompeius magnus, Iulius Cæsar: amangis the Carthaginenses, Hannibal: amangis the Greikis, Themistocles, Alcibiades: amangis the Thebanis, Epaminondas: amangis the Macedonians, Alexander the greit: amangis the Persianis, Cyrus, Darius:

amangis the Frenchemen, Charles the greit: amangis the Germanes, the Henryis, and the Otthois: amangis the Britonis, Ambrose, Arthur, & swa furth in al Regions. Euin swa in this our Realm, hes florischit mony nobill Princes & notabill men, quha hes not feirit to expone their lyfes, and guidis to all kinde of jeopardies, & hazardis againis their maist cruell and strang adversaris, for the defence & maintenance of yair liberties & common wealth As King Caratak maist vailzeand, althocht infortunate, as wrytis Cornelius Tacitus, King Corbreid, Galdus, ye twa Kennethis, Gregore, Robert Bruce, Grahame, Thomas Randall, & Schir Iames Dowglas. And besides all thir & mony ma, in this Regioun florischit William Wallace (of quhome we ar to entreit) quha justly in vailzeantnes may be cōptit (all circumstances being considderit) to be posteriour to nane of all thir yat hes preceidit.

Bot or we enter to ye description of him or of his properties, & nobill factis, we will speik sum thing of ye miserabill and troubilsum dayis quhairin he did arise, & of the occasioun of thame. For in yat time ye common wealth of this Realme was heuily oppressit, & vtterly ouerthrowin asweill be ciuill sedition & domesticall discordis, as be externe and forraine weiris. The occasion heirop rais be the death of King Alexander ye third, eftir quhais deith (becaus he deceissit without children) contentioun rais for the crowne betuix the Bruce, the Ballioll, and the Haistingis. The debait in schort time become sa hait and feruent, that it appeirit irreconcilabill. Bot the Haistingis fel from it schortlie, quhidder throw desyre of quyetnes, or that they mistraistit thair awin strenth, to be equivalent with the vtheris, it is vncertaine: for thair is lytill farther mention thair of in the hi-

storyis. The greit preis of the contentioun than restit betuix the Bruce, & the Ballioll. Quhen the nobillis of the Realme had considerit that this suld cum to the vtter subversion of the countrie, gif it did continew: seing thame selfis vnabil to decyde in sa doutsum ane question, betuix sic persons thocht it maist expediēt to defer the decision thairof to sum externe prince to quhais decreit they all suld stand.

Thus was the mater deferrit to King Edward of Ingland. The supplicatioun beand of him acceptit, he appointis the time for decisioun thairof: and that it suld seme to be the mair cairfully handlit, and the mair profoundly resoluut, he send for lernit mē out of diuers partis, to ressoun sernitly thairin, and cleirly to discus this intricate questioun, to quhome ye just richt and tytill suld appertene. Thir thingis colourably done, supponand it to be his haruest time to make his profite, callis first the Bruce, (to quhom in the beginning he was maist inclynit,) schawis to him yat ye decisioun of ye richt and tytill of the crowne of Scotland was deferrit to him, & put in his hādis to quhom he list to confer it: quhairfor gif he wald accept, & hald it of him as Superiour thairof: he wald constitute him King and place him in ye regiment. The Bruce ane man of free spreit and stout hart, impacient with thraldome and seruitude to enjoy authoritie, answerit schortly: he wald not thrall ye thing quhilk he fand fre, nor with servitude empyre. Then callis he ye Balliol and in like termis proponis the same vnto him. Bot he beand of nature simple, & led with blinde appetite & desire to regne, grantis esily to that quhilk was proponit, and acceptis the conditiounis. Then was the Balliol be decreit of King Edward, to the greit greif of monie, (how euer the mater was befor ressonit, and concludit amangis the lernit men) pronouncit to be King.

The Bruce havand then na certane place of refuge, his adversarie beand placit in Empyre, was enforcit to remayne with King Edward in Ingland. Schortlie heireftir ayses schairp weiris betuix the Kings of France & Ingland. King Edward heirfor sendis to Iohn Balioll, and be vertew of his promeis of faith and obedience priuately maid to him, desires him to concur and assist with him in persewing of ye King of France. Iohn Balioll assemblis his Parliament to haue knowledge of the will of his nobilitie. The nobillis vterly refusit in respect of ye auld band inviolably obseruit betuix ye Kings of Scotland and France. And als in respect yat the promeis of his homage and fidelitie was purely maid, without ony consent of the thre Estatis of the Realme. King Edward nochtless layit this & mony vther thingis, na les schamfull than hurtful to his charge, desirand them as they were secretlie concludit betuix them, sa they suld be publicly in Parliament confirmit. Iohne Balioll beand (as it war) awalkinnit out of his dreame of blind appetyte of regning, be thir impudent thingis quhairwith he is burdinnit, is altogidder confoundit in him self, and repentis him sair yat euer he acceptit Regiment vpon sa filthie conditions. Quhairfor he sent to King
Edward

Edward, lamentand heuillie he suld haue ben sa far carryit away, yat for desyre to reull, he suld mak ane fre Realme to be thrallit; & vtterly renuned quhatsaenir yairin they had concluded befor: sayand, he wald rayer chuse to de, yan leif in thrallit authoritie. Thir thingis heard of King Edward, he maist furiously enragit, & without farther delay, raisit his armie, inuadād Scotland maist cruelly, with fyre & sword, spairand nane yat wald nocht be obedient to him. The puir Realme miserablie befor deuydit be ciuill & intestine discord, become ane esie prey to ye forreine inuader & spoyler. Nouthir was thair ony enemie mair schairp and vehement persewer yan Robert Bruce: quha provokit be sum cōtumelie, become mair cruel aganis his awin, yan euer was Marcus Coriolanus aganis his natieue town of Rome. Quhill England, with ye Scottis yat assistit yame, & ye Bruce, ragit & ran at ryot at yair libertie & plesure, oppressand and murtherand yair resisteris, waistand & destroyand yair landis & gudis: & quhill they had set all things in sic ordour, as best plesit yame: placit reulleris at yair awin list & appetyte, without ony appeirance of contradictioun, in sa mekill, yat na man durst anis quhisper aganis yame. In yat samin tyme, quhen they thocht all to be at maist quyet, ye Eternall God behaldand ye injust rage, & furie of the oppressaris, & ye hurtis & sichis of ye oppressit, did steir vp amangis vs, this our William Wallace, of quhome we will now sumthing speike.

This William was the sone of ane honorable knicht, and flourischt about the yair of our Lord M.CC.XCVII. Ane man of sic strength of bodie, aboue all itheris that was in his dayis, that singular he maid combat with monte. Of person he was square and large: of built and countenance pleasant & amiable. In craft & conceittis of weir, (as testifies the Chronick of Pluscardin) maist politick, and nathing inferior in it to the strenght of his bodie. Sma that in ane person was placit baith excelling gret strenght and force, and maist quick and wittty craft, & inuentioun. To this was eskit ane stout and courageous hardnes to assault all adventures offerit, quhairto Polydorus Vergilius in his 17 buik of his Inglis historie makis mentioun, calland him maist bailzeard and excellent in hardines. Of spreit he was alltagidder Hercle and Magnanime. In maist aduerse times, quhen he was allane destitute of all men, neuer remittand hart nor courage, bot still perseuerand, and luthand for better. In promeis he was faithfull & trew. In trauellis & labouris maist patient & durable without ony ceising. In defence of his natieue countrie, & recouering the libertie thairat, sa firme and constant euen vnto the berie end, that nouthir micht hoip of reward, landis, rentis, or gudis allure him: nor feir of his maist puissant enemies effray him or mak him anis to bow, or schrink pairin. In sa far that the foirsaid Polydorus Vergilius in the samin buike wraytis of him:

Vallas nullo neque pretio, neque metu, de fide, de opinione

* iij

deduci potuit, vt vellet aut sequi aut videre anglum regnatē
 That is, Wallace nouthir he rehoaird nor he feir, micht he brocht fra
 his faith & opinoun, that he wald either assent, or se the King of Eng-
 land to regne. He had alwyis in his mouth this auld verse, quhilk he had
 lernit in his zouth of ane priest that was his eme, as is reheris in Scotchro-
 nicon in the xxij buik.

Dicto tibi verum, libertas optima rerum :

Nunquam servili sub nexu vivito fili.

That is

Libertie of all thingis best is to the fre schaw,

My son from servitude se thou the ay withdraw.

He was alsua exceiding liberall and fre hartit, without ony regaird or re-
 spect to money or geir. For quhen, or quhat he had na man of his cumpany
 did laik. Exceiding freindlie to sic as he gaue favour, & quha did assist him
 in his travellis. In contrair, maist vehement and cruell aganis his aduersa-
 ries and thair assisteris : swa yat he neuer did saue them that were able, ex-
 cept they had promise of safetie befoir. To wemen, barnis, and vnable per-
 sounis he did na hurt. Freindis & familiaris he had, quhome he maist ten-
 derlie lufit, Schir Iohn Grahame, Robert Boyd, Adame Wallace of Ricar-
 toun, Steuin Ireland, with mony vtheris : & efter his cumming out of Frāce
 Thomas of Longoveill, quhome he tuik on the soy.

Thus Wallace seand the greit miseries and calamities, the vehement op-
 pressiounis vsit vpon his cuntriemen, their guidis waistit, their landis de-
 stroyit, them selfis banischit & murtherit : beand inflamit alsua be the
 murther of his awin Father, & elder brother, & vtheris his kinsmen, how
 sone he come to ony zeiris, did vtterlie apply him self to the reuenge of yir
 injuries & murtheris. The contumelies quhairwith he him self was pro-
 vokit did haist the mater in sic sort, yat eftir mony pleyis he suddainly slewe
 sindrie of them in divers placis & tymis : sa stranglie & potently combattād
 & ouerthrawand them (abone the opinioun & expectatioun of ony man)
 yat mony were constraynit to feill it or they wald belief it : & at length, did
 michtilie be his greit vassalage deliuer ye people from servitude.

Quhairin the wark of God is the mair greitly to be considerit, yat (lyke
 euer vnto him self) he did not cheis michtie Princis & men of greit blude.
 Authoritie and power, be quhais strenth & force he suld deliuer his afflictit
 people : bot rather cheisis ane waik veschell, ane man of simple blude, of
 na estimatioun, without ony authoritie, be quhais handis he will delyuer
 the oppressit. It is na new thing to them that behauldis the course of his
 proceedingis, and the meinis how he vsis to releif the troubillit. Nocht on-
 ly hes he in the setting furth of his Law and Evangell vsit continuallie this
 meine, in chusing the waiker veschellis, & men vnestemit in the warlde, as
 in the hail Scriptures of the auld & new Testament may be very esilie sene :
 Bot alsua he hes vsit the samin in the deliuerie of oppressit people, & af-
 flictit

flictit commoun wealthis. He raisit vp Iepthe, ane man contemptit of his brethren, ane bastard, of na reputatioun, be quhom he ouerthrew the Ammonites, and deliuerit from servitude the commoun wealth of Israell. He sterit vp Samson, Gedeon, and monie vtheris. Quhen he rejectit Saul out of his favouris, & sent furth Samuel to seik ane new king, he chusit zoung David, ane bairne, sa contemptible and despysit euin of his awin naturall father, that he thocht the Prophet to haue mockit him, quhen (neglecting his brethren) he did call for him. Mony vther exempillis heirop ar to be had in the Scripturis: & mony lykewise may be collectit be the diligent Reidar, furth of the prophane histories, quhilk for briefnes I will now omit, & retorne quhair we left.

As Wallace throw the fame of his bauldnes & vailzeandnes daylie rysand with the happie succes quhilk he had thairin, begouth to becu odious to the Inglismen, swa to all fre hartit Scottis he become amiable & belouit. For quhilk cause sindrie courageous men irkit of their heuie zock and servitude, did resorte to him in greit number: quhairthrow he was able to enter in conflict and skirmishing with greit cumpanies of his enemies, & at lenth did sa oft triumph ouer them, that he feirit not to enter in plane feild and battell, againis their puissant & strang armies. For thir that resortit vnto him, did earnestlie aspyre to their ancient liberty, and luikit for the ejectioun of their adversaries, and the restitutioun of them selfis, be him, quhome they saw to be endewit with sa monie notabil and excellent giftis, abone the commoun sort of men, that he appeirit (as it wer) borne and sent of God, for the releife of their calamities: & swa did cleif and adheir vnto him, as their cheif Chiftane, defender, & delyuerer. He was heirfoir electit be commoun consent to be Ruler & Gouvernour of the Realme, as being maist abill for it, & gainand abone ony vther: as Hector Boethius wrytis. Vtheris alledgis him (as Iohn Maior in the fourt buik of his Scottis Chronikill) to haue tane and acceptit his regiment, mouit be the monyfeld calamities & miseries of his natiue countrie: and be resorting of the people till him, being destitute of ane heid, or man of ability to leind vnto, rather then be ony electioun. Nochttheles how euer he obtieinit it, he did behaue him self thairin baith vailzeandly, diligently, and vertuously, asweil in glorie of martiall deidis, as in maist quick foresicht & prudence. For he seand the gret scarcitie & dearth, throw lang weiris that was in the Realme quhairon behouit follow greit mortalitie. To eschew this he maid his proclamations, chargeing all abill men to be reddie at ane præfixt day to inuaid Ingland, and enterit therein, waistand and destroyand quhatsaeuir they fand before them, and remaynit thair the haill winter sesoun out to spair the victuallis in their awin countrie, and returnit againe with greit spoilzie & riches. Bot as be his vertuous and stout gouvernement, hee wan the favour of manie that wer sair faschit of their heuie zocke & burden: Swa (as commounly it occurris) be the samin, he conquest vnto him

* iijj

self the hatrent and indignation of diuers : and cheiflie of the greitest and Noble men of the Realme. For they bure heuily, yat ane man of simple liginage, quha only be his awin force and vertew, had atteinit to sic honors & dignities, suld be preferrit in authoritie to them. Throw this was bred and engenderit in them ane greit and quiet disdaine and inuy, quhilk after lang fostering and lurking, did maist lamentable and vehemently brek out, and vtter the self, in the battel of the ~~Fawkir~~^{Fawkir}. Thre parties thair contendand for the wangard (quhil na hoip of concord micht be had) ye Cumings treasonable fled out of the field. The Stewart of Bute with his company, abaid & faucht it maist cruelly to their vtter destruction. Wallace in the meane time with his folkis throw maist wilfull furour only lukand on it, without ony support making to them : quhairthrow quhen he enterit in combat, he was scarce able to mak his partie gude, to ye greit ruine and subversiou of this commounwealth. This wickit sedition and debait steirit vp aganis him on this maner, did moue him to sic anger and indignation, that in revenge thair of (as sum sayis) he did willinglie giue ouer al regiment, purposād thair- efter never to intermel him with ony publict actioun, nor to put ony hand thairintil. Within schort space he passit to France, quhair he was very gēt- lie interteined of King Philip. Bot heirand agane of the greit troubles in Scotland, on na wise he wald remane thair, bot wald returne agane to the support of his familiars and freindis : althocht that be the former injuries quhilk he had ressaut at the Fawkir, he was mair brokin thā euer he was at ony time be the puissāce & force of Ingland, zit neuertheles he wald, nor could not vtterly denude himself of the naturall affectioun quhilk continu- ally he bure towardis his native countrie, bot did still, euin now, quhen he had maid him self priuate of authoritie, oppone him selfe maist strangly a- ganis Inglishmen, and ithandly vexit them with greit & greuous damages and injuries.

King Edward seand that nouthir be promisis of Lordschippis, domini- ounis, rentis, nor be na fair meinis he culd allure him, nor be na boistingis nor manassingis he culd effray him, nouthir be oppin force nor violence he culd ouerthrow him, he zeid about to assaill be tressonable meinis (his last refuge and maist agreeable to him) how to haue him oppressit. He propo- nit publictly greit rewardis and Lordschippis to ony man that wald be ony meinis put him in his handis. He instigate priuately with rich and faire hechtis, diuers personis to betray him. At last, ye coup gat ane meit couer : ane Tyran fand ane Tratour. Schir Iohn Menteith, ane freind, (as was beleuit) and gret familiar to Wallace, allurit be thir fair hechtis and promi- sis, had continuall watchis on him, quhill in ye end he apprehendit him quyetlie in ane lytle hous besyde Glasgow at his rest : & thair with an greit company of armit men, tuik him and led him in Ingland : and thaireftir caryit him to London : quhair, at the command of the Tyran, he was cru- elly tormentit and slaine, and his quarters send to sindrie townis in Scot- land,

land and Ingland (as they supponit) to his schame. O tresonable tratoure, and maist monstrous Viper, not sa mekill to him, as to thy awin natie land how culd it enter in thy hart, sa tressonablie to betray him, yat neuer wald haue luikit for ony euill at thy hand, bot rather for treuth & traistines : and wald not haue spairit to haue hazard his life in thy defence ? The lyke may I say to the Tyran, quha justlie may be callit ane Tyran : for gif thair had bene ane spark of nobill or gentill blude in him, he had estemit it mair to his honour to haif reseruit on lyfe sa forcie ane Campioun, and sa constant ane warriour, then sa cruelly to haif demanit him. Bot onelie blude man satiat the bludethristie. This was the end of this vailzeand Chiftane. This was the rewaird he gat of his countrie men to be tratourlie betrayit and put in his enemies handis, quha in his lyfe wes their strang fencewall to defend them from seruitude. Sic rewaird hes mony noble men ressauit of their greit benefites to the commoun wealth : as ætius, Belissarius, Narses, & mony ma quhilk wer tedious to reheirs. Zit as the names of his fraudulent betrayeris, become odious to the generation present, and execrabil to the posterities following : haitand and abhorrand the memory of sa veillanous ane tressoun : Swa the immortal fame & name of this weirlyk Chiftane dois fie and pas athort the mouthis of all men to his greit praise and renowne, and sall indure till the end of the warld. Nouthar can the schameful leis of Caxtoun, Fabiane, and sum vther Inglis writers, obscure his glorie, quhill they call him ane Tratour, ane man of vnknawin birth, with sic vther termis at their plesure. To call the subject of ane vther Natioun ane tratour, becaus he will not acknowledge the reft & stollin authority & power of an Tyran, to quhom he neuer promisit, & neuer wald assent, is rather of despytefull malice, then of skillit judgemēt. Bot how thir twa agreis with thēselfis, men may esilie so. Caxtoun sayis the haill Scottis obeyed to King Edward except Wallace, he only wald neuer obey to him. Fabiane sayis, that Wallace had done mony displesures and tressounis to the King aganis the trouth and alledgeance of his aith. Gif at ony time he gaue his trouth or alledgeance of aith to King Edward : it followis that sum tyme he had bene obedient to him. Bot that dois Caxtoun denie : & Polydorus Vergilius alswa, with all the rest of the wryters. Bot sum thing mair sall we schortlie heir of thir famous Authouris.

Wallace thus despeschit and deid, and all estemit to be at greit quyet, throw his away taking : zit did the Tyran enjoy schort time the fruits of his Tyrannie and Rapine. For God (quha continually dois mocke the purposis of the wickit) did immediatlie steir vp ane vther, quha wrocht vnto thē mony greit & heynous Ruffillis : and at last did vailzeandlie chase them out of Scotland, to their gret schame and confusion, and lois of their lang trauellis. Bot this I will omit till ane vther time, and speik of the wark following.

¶ As I do not be the furthsetting and new imprenting of this warke,

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following, preciselie affirme, the haill contentis thair of, to be of ane infallibill treuth : Swa do I na thing less than allow the judgement and opinioun of them, that rashlie, and at the first sicht, dois dampne the samin, or maist pairt thair of, as friuoll, and fenzeit. And that becaus thair is sum strange, and meruellous thingis conteinit thairin, quhilk scarcely semis can be creditit. Ane of the cheif and principall thingis, that mouis them heirto, is the Historie of Fawdoun, and of the Gaskhall. It is written thair, that Wallace effir that he had narrowlie escapit mony greit dangeris, and had slain his awin man Fawdoun, he come at nicht to the Gaskhal. Quhen he had hard thair greit dyn of hornis blawing, he send out his men, first twa, syne twa, vntill they wer all send furth. Nane of them all returnand agane, and the noyse still continewand, he passis furth him self. In the passing furth, he thocht he saw Fawdoun, quhome he had slain the day befor, slinging his heid at him, and he cleikit it be the hair, and slang it at him agane. The feir be this gret terrour incressit in him mekil mair. Thus was he constraunit to remufe from the Gaskhall. Quhen he had ane lytill remuifit he lui kis behinde him and thocht he saw the hous all in ane fyre, and Fawdoun vpon the heid of it. Swa in greit feir he wanderis furth al the nicht quhill he come to ane womans hous of his acquaintance, quhair he refreschit him self with meit and rest. This hystorie, becaus it appeiris incredibill, makis mony to despyse the haill wark subsequent. But gif men suld luik mair neirlie on it, it wald not be thocht sa vncouth, nor zit incredible. Frequent and common it is to men of greit spreitis, quhat time they ar oppressit with extreme feir, and weryit with greit trauellis, and beand in desert placis vnder nicht, solitair, to consaue and perswade vnto them selfis that they maist certainlie se that thing, quhilk nochttheles is not sene in deid, bot is ane meir fantasie consaut and generit of thair feir and werines. As it come to pas heir in our Wallace, quha escaipung sa mony dangeris the day befor, being sair trauellit and weryit for fault of meit & refresching, and laiking of sleip, being vnder nicht in ane desert place, circulit (as it appeirit) be his enemies, solitair and destitute of all his men, & being exceiding cairfull for them, thinking them to be all slane, and gane. All fantasies, and, perrilles welterand thus in his mynde, throw immoderat cair and feir, he thocht he saw Fawdoun castand his heid at him, and that he caist it agane at him, and that the hous was in ane fyre. Yit was thair na sic thing in verray deid, bot was only ane vane fantasie, generit of his feir, and faintnes. And swa it is written in the buik it self, that he thocht he saw sic thingis, and not writtin that he saw them in verray deid. Als quhen he come to the hous, quhair he was reposit, he said, that all the perrillis and jeopardies that he had bene in befor, wes bot play to that nicht : quhilk wes ane euident argument of his greit feir and terrour. On the morne he send ane woman to se quhat was becummin of the Gaskhall : quha fand it in the auld, and former staite, without ony hurt. Quhairthrow it is manifest, that this visioun was only ane

ane fantasie, consauit of the causis abone expressit. Na man heirfoir be occasioun of this Hystorie, neidis to call ony thing of the rest of this buik in dout.

Ane vther Hystorie thair is, in my judgement mair wechty, than ye precedent. The descriptioun of the battell of the Faw Kirk, quhilk differis from the opinioun of the rest of the Historiographers. The maist part of the Historyis, baith Scottis and Inglis, declaris King Edward to haif wyn the battell of the Faw Kirk. This buik sayis, he wan the first day, bot Wallace the secund day renewit the battell, and wes superiour in the field. Althocht it hes oft bene sene, and nicht weill be, that the ane was victour in the feild the first day, & the vther the next day: zit becaus the multitude of the Historyis ar contrarious to it, I dar not affirme it, bot will leif euerilk mannis judgement fre to him self, to serch the trueth thair of. Zit heirin will I speik sum thing of the former twa Inglis wryteris, to note out ane lytill of their schameles impudencie. Caxtoun sayis, yat in this battell wer slane of Scottis, threttie thousand: and of Inglismen bot aughtene men. Fabian wrytis that thair was heir ane sore fecht giuen to the King, bot in the end, the victorie fell to the Inglismen, sa that of the Scottis wer slane in the feild ouer the number of twa and threttie thousand, and of Inglismen, bot barely aucht and twentie persounis. Thir ar his awin wordis. Lanquet in his Epitome of the Inglis Cronikillis, mouit be thair wryting, repeitis the samin, albeit he semis to gif na greit credite thairto. Quhat face or lykenes of treuth this hes, ane man that hes ony spark of naturall judgement, may esilie se. The like hes neuer bene hard sen the beginning of the warlde. We reid in the Scripturis, how the Angell of the Lord did slay mony thousands and confoundit the greit Hoist of Sennacherib. Gedeon with thre hundred men, ouerthrew the armie of the Madianites. Thir and sic vther we reid, wrocht, and focht in be the hand of God, and not be the Arme of man. We reid alsua in the Hystories, that the Duke of Saxone, at the requeist of the Empriour and Paip, had assemblit ane greit armie, againis the Hussites of Boheme: bot the fray rysand in his Camp (as God had prouydit) they were constreynit without straik to fle. Bot that twa greit armyis suld joyne in plaine feild, and mak ane cruell & sore fecht (as he callis it) and sa mony thousandis of men, and thay gude warriouris, that be lang trubillis, and continuall trauellis wer weill exercisit: and vnder sa stout and weill practisit reullaris, suld on the ane side be slane, and onlie aucht and twentie persounis on the vther side to be loist, I can nocht think that euer ony man can be inducit to beleif it. I wonder greitlie, quhat sore fecht Maister Fabiane culd think this to be, quhen barelie xxviij. persounis of his countriemen wer inlaikit, with the ouerthraw of sa mony of yair aduersars. Bot quhat woder thocht he dremit in this, quhe he dois lytill better in the rest of the history? Within ij. zeiris space he couitis lxxviij. thousad Scots slane be king Edward. At Berwick first xxv. thousand slane, besidis presoners tane.

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Schort-

Schorly eftir at Dunbar, twentie thousand : and then at ye Faw Kirk twa and threttie thousand. Notwithstanding all this he makis the Scottis to rebell agane, or the thrid zeir. It is full lyk, fue and twentie thousand mē to haif bene within Berwik, and zit to haif bene wyn by force. Our wryters sayis it was wyn be tressoun, and that King Edward slewe men, wyfis, and bairnis in it : quhairthrow peradventure he hes cummit neir to Fabianis compt of the slaine. Gif that be the number, he micht with mair honestie haif haldin his peice. Farther, it is not verry lykelie, yat euin in ane Nation mair populous than outhir Scotland or Ingland, eftir sa greit slauchter of men, sa haistie insurrectioun suld haif risen of new agane. Zit for all this Polydorus Virgilius wrytis, that according to the ancient Cronikillis thair wer vpon fyfetene thousand Scottis slane in the battell of the Faw Kirk. Be thir ze may se, how not only they aggre nocht ane with ane vther : bot how slenderly sum of them agreis with them selfis : and cheiflie Fabian I leif his ignorance in the monstrous namis of men & townis, neuer hard, nor knawin, & will pas to the rest of our purpose.

Syndrie thair is that callis in dout the historyis of the passing of Wallace to France, and his fechtung with the reid Reuar, and Iohn of Lyn vpon ye sey, amangis quhome is Maister Iohn Maior mouit be thir simple ressonis, that the French historyis makis na mention of him : & that our Latine Cronikillis schawis na excellent factis of him efter the battell of the Faw Kirk. Thir ar waik argumentis that Magister noster hes for him. The French historyis makis na mention of Wallace, nor of his cumming to France, Ergo he come neuer to France. I will meet him with the lyke. Paulus Æmylius ane of the cheif wryters of the French hystories, and almaist all the rest of them makis na mention of the great and solempne confederacie and band made betuix King Charles the greit of France, and King Achaius of Scotland : Ergo there was na sic confederacie nor band made. I think Maior wald not grant to this, for he affirmis the contrair thairof in the secund buik of his Scottis Cronikill. Zit was this band ane mater of verray greit wecht and importance, and hes continewit inuiolable thir mony hundreth zeiris with sic firme constancie, that the lyk of sic continuance has not ben oft seene betuix ony twa Realmes. Nouthir is it vncouth to the Frenche writers to suppres and concyle the nobill actis of strangeris done amangis them : as it is esie to persais to them that list confer the hystories of vther natiounis with thairs. As to his vther ressoun, gif he had bene diligent in searching out of our Latine Cronikillis, it had not bene put in wryte be him. For the contrair thairof is plainelie contenit in the xix. buik of Scotichronicon in the fourtene chapter. Bot becaus euerie man hes not the said buik at hand : and lest sum suld suspect it to be bot fenzeit, I haif insert ane pairt of the said fourtene chapter in Latine, smelland the phrase of thay dayis : quhilk is this.

Post

Post enim conflictum de Rosling Vallas ascensa navi Franciam petijt. Vbi quanta probitate refulsit, tam super mare à piratis, quam in Frācia ab Anglis perpessus est discrimina, & viriliter se habuit, nonnulla carmina, tā in ipsa Frācia, quam Scotia attestantur. Cum Rege enim Franciæ Philippo, digno habebatur honore, venerabatur præconio, & mulcebatur alloquio: ac ad secum morādum pro perpetuo grandia promittebantur territoria, & tam in pagis quā vrbibus prædia quamplurima, ac dominia fuerunt sibi concessa. Sed ipse solo paterno, & naturali affectione, ad modum Scotorum allectus, post ipsius à Scotia recessum, audiens ipsum regnum nimium suppeditari, supplicatione Scotorum de facile revocaretur, nisi rex Franciæ ipsum quasi invite retractaret. Nam vt Vilelmus secum perendinaret, Philippus Rex Franciæ, Edvardo Regi Angliæ, suo fratri legali specialissime scripsit pro treugis inter ipsum & domum Scotiæ capiendis, (vt infra dicetur) ne videlicet præsentiam Vilelmi Vallas quē tam tenerrime diligebat, vel ad tempus amitteret, &c.

After the battell of Rosling, Wallace entering on schipbuird, passit to France. Quhair, with what vertuousnes he did schine, quhat dangeris he sufferit asweill on the sey be the Pirates, as be Inglismen in France, and how manfully he behavit him self, certaine sangs asweill in France it self, as in Scotland beiris witnessing. For with Philip King of France he was had in gret honour, reverencit with praise, & with familiar commoning gentilly intreitit, mony ample lands wer promisit to him for to abyde perpetually with him, mony Lordschippis and townis baith in burgh and land wer geuin to him. Bot he being allurit be his natiue countrie, & natural affectiō according to the maner of Scottismen, heiring efter his departing out of Scotland, the Realme to be vtterlie oppressit, was esily at the request of his countrie men, purposit hame againe, gif the King of France had not reteinit him, as it wer againis his will. For Philip King of France, to the intent that Wallace suld abyde with him, wrait vnto Edward King of Inglād, his brother in Law, specially for trewis to be taine betuix him & the Realm of Scotland (as it salbe schawin heireftir) for this purpose that he suld nocht for ony space, want the presence of Williame Wallace, quhom he maist tenderly favourit, &c.

Mair thair followis of the samin mater in the xv. chap. of the said buik

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of Scotichronicon: quhilk for eschewing of prolixitie I can not heir repeat, quhairby the aggreance of our latine Chronikillis with this wark followad may be weill persaut.

Besides all thir, thair remainis zit to this day mony domesticall monumētis of **Thomas** Duke of **Albanie**, callit ye reid Renar, quhom Wallace tuik vpon the sey, diligently obseruit be his successouris, the Lairdis of **Strathgairn**, & presentlie ar keipit in the hands of **John Charteris** now Laird of **Strathgairn**, as his sword, his Evidents, & dyuers other thingis retein it of them in greit estimatioun, as auld & auncient memorials of their maist vailzeand progenitour. For eftir the deith of Wallace, the said Thomas remainit continually with King Robert, and was at the siege of Sanct-Iohnstoun with him, & vnabasilie enterit ouer the wallis thair of, as baith the buikis of Bruce and Wallace dois testifie of him. Be quhilk vassalage, & mony sic vther, the King gaue vnto him the Charteris landis, and was thaireftir callit him self be the samin surname. And as this buik reportis, the **Charteris** ar cūmin of him. Bot ye Lairdis of **Strathgairn** being of ye samin name, affirmis him to haue gottin thay landis be marriage of ane of the Heretrices of **Strathgairn**, their Father deceisand but airis Male, & to make ane difference betuix the vther Heretrice, he did eik vnto their former armes, quhilkis wes ane quhite feild & ane blew Bar, the twa dowbil Traissis with Flourdelices gangand in & out. Bot howsoeuer he did obtene thay landis, he gat them be moyen & addres of King Robert, as ane pairt of reward of his labouris. This Thomas semis to haue bene a man of mony singular & notabill vertewis. For notwithstanding that he be necessitie, and for the saiftie of his life (eftir that he suddanetie he had slaine ane Noble man, in the Kingis court of France) was constrainit to go to the sey, quhair he vit greit Rubberie & cruelty: zit the succes folowand dois plainely declair, how lytil that kynde of lyfe aggreit with his nature. For beand tane with Wallace, & thairthrow reconcyлит with the King, he accomptit it sic ane benefite, yat the memorie thair of past neuer in oblivion with him, bot remanit continually thaireftir with him, participant of all his jeopardies and trauellis. Zea, eftir his deith (quhilk is greitlyer to be meruellit) he professit him self plaine and extreme enemie to all his adversaris, adjonand him self in greitest perrellis to all them that zeid about the revenge of his deith, and the recovering of the libertie of the Realme. Ane woundrous cace. Ane stranger to leif his natie Realme, freindis, heritage, & rentis, to cum till ane vncouth Realm, to oppone him self against maist potēt enemies, baith Inglis & Scottis: to enter him self in maist perrilous dangeris: to cleif and abyde fast to the waiker pairt: & that vnto the very end, is ane exempil rair to be fund, quhilk wil be meruellit of ma, then followit of monie: and ane infallible argument of ane thankfull, Heroicall, and constant mynd & nature. Mony vther excellent vertewis micht I collect of him: Bot lest men suld esteme me partiall and affectionate in setting furth his praises, in respect

pect, that of him and of his house. I am proceidit, I will abstene, & commit the samin to vtheris.

The first compyler of this wark in the Latine tounge, was Maister Iohne Blair, ane man of indifferent learning for that day : quha was present with Wallace, & participant of mony of his trauellis, and was alsua (according to the custum of the tyme) his Mespreist and Chaiplane.

Thir thingis beand writtin, the person of Wallace with his qualities discryuit, & the maist appeirand doutis resolut : I traist thair is ane sufficient licht and entres geuin to the haill warke.

¶ I wald haue put end to this prolixit Prolog gif I had not alreddy hard ye injust offence & murmuring of mony againis the present furthsetting of this volume : sayand, yat heirby men ar steirit vp rather to ye remembrāce of auld injuries, than to the desire of peice & quyetnes, vnto the quhilk we all suld studie, lest we suld seme vnthankfull towardis God, & inhumaine towardis our nichtbouris, out of quhais handis we haue laitly ressaut sa āpil benefitis. Bot quhat wil not conceptiue & contentious persons calumniat ? God (quha is the searcher of mens hartis) dois knaw how far that is from my mynde. Althocht that in the dayis of Wallace, Ingland did vehemētlie oppres this Realme, quhairthrow maist justlie he did oppone him selfe to them : zit I esteme it a thing not impossibil, bot yat auld enemies may be cum new and perfite freindis : & againe auld freindis becum new & plaine enemies, as it befell betuix the Scottis and Pichtis. Zit I mene nothing les, then to steir vp the hartis of ony men againis ony Nation, Realme, or cōtrie. My intent & cheif scope is this in generall, to mufe all men (eftir the exempill of Wallace) to the defence of their natie Realme, & commoun welth : to hazard quhatsaeuer they haue in this earth, for the maintenāce thair of, aganis ony Natioun, French or Inglis, Spanish, or vtheris quhatsūeuir yat wald inuaid the samin. And alsua that the vailzeant actis & deidis of sic as hes spent & geuin their trauellis and lyfes thairfoir, suld neuir cum into obliuion, but remain in fresche & recent memorie to the perpetuall glorie of their name & fame, during all ages & posterities vnto ye warldis end.

¶ Quhairfoir (gude Reidar) as I with simple eye & intentioun, haue of new agane publischt this delectabill Historie : Swa thow will in the samin maner reid, & peruse it : & in perusing it, thow will giue hartlie thanks vnto ye Eternall God, quha for ye deliuerance of yis afflicted and oppressed countrie, did steir vp yis our Wallace, having sure confidence, yat gif we sall leind vpon him, & from our haill hartis in all our necessities and afflictionis convert vs to him, he sall not only rais vp ane Wallace, bot mony : be quhome he sall michtelie delyuer & releif vs of all ye scurgis and oppressions of our enemies quhatsaeuir, how feirce, how cruell or potent saeuer they be : his hand is not schortenit, bot yat he baith will and can help.

In

In his handis ar not only ye hartis of all, bot alsua thair bodies and puis-
sancis. He disponis Empyres, he distributis kingdomis, he remuifis
Natiounis, he transferris families, according to his gude wil
& plesure. Aganis him na strength nor force, na coun-
sell nor wisdom, na substance nor riches can
preuail. Till them that feiris & luifis him
all thingis wirkis for the best.
His Name be praisit
for euer.

SO BE IT.

A CATALOGUE
OF THE BISHOPS OF ORKNEY.

M.C.XII.—M.CCCC.LXXVII.

VOL. III.

Z

FOR the following attempt to supply a complete and authentic Catalogue of the Bishops of Orkney, from the foundation of the See at the commencement of the Twelfth Century, we are indebted to Mr MUNCH, Professor of History in the University of Christiania, who has derived his materials from the Norwegian Sagas, and from original documents. His researches into the early relations which subsisted between Norway and Scotland, and more especially the Islands of Orkney and Zetland, as dependencies of the Crown of Norway, have suggested various emendations or corrections on some of the previous articles contained in the present volume.¹ The notes of the learned Professor are accordingly subjoined to the following communication.

Professor MUNCH has shewn that the date of the Diploma from Thomas Bishop of Orkney, printed at pages 65-85, must be posterior to the year which is there conjecturally assigned. That William Earl of Orkney was invested in the Earldom by Eric in 1434, seems however evident from the minute statement given by Torfæus, and quoted at page 86. This account was apparently derived from the Danish Historian, Huitfeldt,² who

¹ Upon recollating the "Extracts from the Panmure MS.," a few corrections require to be pointed out: Page 67, line 14, *vult* being supplied, should have been enclosed within brackets. Page 68, line 15, *quoniam*—quomodo (?) Page 69, l. 16, *cirographia*—cirographa. P. 70, l. ult., *procelaretur*—protelaretur (?) P. 72, l. 1, *ut in*—et in. Ib. l. 9, *destructus*—destructi. P. 73, l. 16, *aut*—et. P. 75, l. 9 [*Orcadie*]—hujus modi. P. 76, l. 27, *Haco*—Hacon. P. 77, l. 14, *filius ejus*—ejus filius. P. 78, l. 20, *sicque*—sic quod. P. 79, l. 24, *legittimo*—legittime. Ib. l. ult., *desponsata*—disponsata. P. 82, l. ult., *linguamque*—lingua neque. P. 83, l. 7, *terrarum*—literarum. Ib. l. 8, *ideo*—imo. Ib. l. 11, *onatissime*—onan-tissime. In the Panmure MS. the word *majestas* is written *magestas*.

² "Danmarckis Rigis Krönicke, ved Arrild Huitfeldt til Odersberg, D. R. Cantzeler." Copenhagen, 1595-1604, 10 vol. 4to; and republished at Copenhagen, 1652, 2 vol. fol.

had access to various original documents which were supposed no longer to exist. These documents have recently been discovered in the Royal Archives of Copenhagen, and are likely to be published in one of the early volumes of a work which has been commenced under the title of "*Diplomatarium Norvegicum*," edited by Chr. C. A. Lange and Carl R. Unger, Christiania, 1847, 8vo.

In order to reconcile the contradictory dates of this Diploma, we may infer, that after the succession of Christopher the Bavarian to the throne of Norway, in 1442, William Earl of Orkney had been required to obtain a confirmation of his investiture; and the date of the document in question, as Professor MUNCH supposes, may therefore have either been 1443 or 1446.

The edition of the "*Fasciculus Temporum*," forming part of the Panmure volume (see page 27), may be assigned some year between 1486 and 1490. There were numerous editions, without date, printed towards the close of the Fifteenth Century. The one referred to is described in Hain's *Repertorium Bibliographicum*, vol. ii. p. 356, no. 6916. On the first folio an inscription, partially erased, seems to be: "*Iste est liber Henrici dñj de s̄co. claro;*" and underneath is written, "*Liber Malcolmi Hawcro regētis Sanctia[ndreæ].*"

A CATALOGUE OF THE BISHOPS OF ORKNEY.

M.C.XII.—M.CCCC.LXXVII.

IN a splendid MS. on vellum of the Norwegian *Eidsiva* Law, revised by King Magnus IV. in the year 1274, preserved in the Arna-Magnæan collection at Copenhagen, there is added a complete series of the Bishops who were subjected to the metropolitan See of Nidaros or Thronhjelm, that is to say, of the Bishops in the five dioceses within Norway proper, and of the Bishops of Iceland, of Greenland, of Færöer, and of Orkney. The chief part of the MS., contains the Law, and was completed, according to a final remark of the copyist himself, on St Cuthbert's day 1325. The lists of the Bishops are also continued to this time, although in a different hand from that of the Law. To every list there is subjoined, in a somewhat later hand, three or four other names; and the Catalogue is thus continued till about the year 1380. These lists must be regarded as completely authentic and accurate, and we proceed to copy that of the Bishops of Orkney:

*Víðalmr.—Víðalmr.—Biarni.—Jofreyr.—Heinrekr.—Petr.—Dolgafrinnr.—
Víðalmr.—Víðalmr.*

This series does not acknowledge any Orkneyan Bishop previous to William I. The same is the case with the Orkneyinga Saga and the Icelandic Annals. The Saga says (p. 136), "At this time (*sc.* when St. Magnus was murdered, 1115) William was Bishop of Orkney, *being the first bishop*; the episcopal See was then at Christ-Church at Birsay." In the Annals:

"Anno 1168 died *William the old, the first bishop of Orkney*." This is further confirmed by the inscription of the leaden plate, lately found in the tomb of William I. in the cathedral of Kirkwall: "*Hic requiescit Wilialmus senex, felicitis memoriae, primus episcopus*." It is therefore evident that the Orkneyan chapter and clergy themselves did not acknowledge any bishop before William, or rather before the erection of the See. Those bishops mentioned by Torfæus in the 11th century, must only have been of the same kind as the Norwegian bishops, mentioned before the erection of any fixed See, and styled *hirdbiskupar*, that is *court-bishops*, a sort of chief missionaries with episcopal consecration, following the Prince and the court, but without any fixed See, and therefore not entered in the series.

The well known *Radulphus Novellus*—consecrated Bishop of Orkney by Archbishop Thomas of York (circ. 1109—1114), and afterwards present at the battle of Northallerton 1138, where he consecrated the *carroccio* or Standard, from which that battle is generally called the battle of the Standard—was, as appears from the above statements, never acknowledged in Orkney,¹ nor is he mentioned in the Orkneyinga Saga as having ever been there to take possession of his bishopric. As Torfæus² has collected together all that possibly can be found concerning this Radulph, I need not repeat it, adding only, that there appears to have been a contest between the Norwegian King and the Archbishop of York regarding the right to appoint bishops to the newly erected See of Orkney, and that the contest was finally and peremptorily settled when Pope Anastasius erected the metropolitan See of Thronhjelm in 1154, and declared the Bishop of Orkney one of its suffragans. When this important act took place, William I. was still living, and his canonical rights were thus implicitly acknowledged by the Pope. We afterwards find the See of Ork-

¹ The Scottish Bishops in general did either not at all, or very reluctantly, acknowledge the superiority of the metropolitan See of York.—P. A. M.

² *Orcades*, p. 157 *sqq.*

ney, like those of Iceland, more immediately subject to the metropolitan See; the bishops being elected, not by their respective chapters, but by the chapter of Thronðhem. The Bishop of Færöer was elected by the chapter of Bergen.

The period when William was elected, which must nearly coincide with the erection of the See, is rather difficult to ascertain. The published edition of the Orkneyinga Saga states, that he was bishop for 66 years, or, as expressed in the quaint language of the original,—“ he was bishop for 6 years still after the beginning of the 7th decade.” Thus, he must have been appointed in 1102. But that he should have been bishop for so long a time seems almost impossible; and I am very much inclined to suspect a mistake to have taken place either in the writing or in the reading (or the printing?) of the number. In similar cases, which I have met with, the error is usually to be found in the number of the decade, not in the odd number. Supposing, in the present instance, the decade-number only to be wrong, we may abate *ten* years. We should certainly be inclined to abate ten years more, and assign to William only 46 years, if the Saga did not expressly state, that William was already bishop in 1115, 53 years before his death in 1168. The appointment of William, and consequently the erection of the See, may thus have taken place in the year 1112. This supposition is reconcilable with the fact, that Radulph was consecrated by Archbishop Thomas, who held the See of York from 1109 to 1114. The question of appointing a bishop to the See of Orkney must consequently have arisen between those years, most likely in 1112.

WILLIAM I. died in 1168, as has already been stated. His bones, deposited in a very small chest or shrine, were found, along with the leaden plate and fragments of a crosier, opposite the tomb of Bishop Thomas, in that part of the chancel which was built by the latter. They must have been taken from the place where he was first interred, and removed either from his former church of Birsay to the cathedral of Kirkwall, or from

their former place in the cathedral to that where they were found. The forms of the letters on the leaden plate seem to be those peculiar to the time, about A. D. 1200 ; it is therefore probable that the inscription was made when the body, as supposed, was removed from Birsay. It is not to be overlooked, that although the denomination "*the old*" is sufficiently applicable to a bishop who so long held the See, the Norwegians used it, and continue to use it, as a mode of distinguishing one individual from another of the same name : as N. N. the old, *i. e.* senior ; N. N. the young, *i. e.* junior. Thus, the word *senex* in the inscription may be added to distinguish William I. from William II. and all other Williams ; and in that case, the inscription cannot be older than the time of William II.

WILLIAM II.
1168—1188.

WILLIAM II. died, according to the Annals, in 1188.

BIARNI.
1188—1223.

BIARNI was a very distinguished man, a relation of the Earl. His father, *Kolbein hrúga*, who built the castle of Wire or Weir (*Vigr*), has been converted into a giant or demon in the popular tradition of Orkney ; his name is corrupted or contracted into *Coppi row* or *Cubbe row*. Kolbein's wife, the mother of Bishop Biarni, was *Herborg*, whose mother was a grand-daughter of Earl *Paul*. Biarni was a celebrated poet. Among other poems, he composed the *Jomsvikinga-drápa* (or the Lay of the Jom Pirates, printed, the text in *Fornmanna Sögur*, vol. xi., the Latin translation in "*Scripta Historica Islandorum*," vol. xi.). He possessed lands in Norway, as is ascertained from an undated letter of his, entered in the Chartulary of the Benedictine Monastery of St Michael, commonly called Munkalif, at Bergen in Norway, (p. 83) ; by which letter he gives to that monastery, "for the souls of his father, his mother, his brother, his relations and friends," the land called *Holand*, near the Dals-fiord north of Bergen. According to a *Necrologium*, Biarni died on the 15th of September. The Annals place his death in 1222 ; but as the very accurate and trustworthy Saga of King Hacon IV. mentions him as present at the great assembly of notables

that met at Bergen, July 29, 1223, and continued for some days, his death must be assigned to the 15th of September 1223; and it probably took place in Norway.

JOFREYRR was consecrated, according to the Annals, in 1223. If, therefore, in consequence of the death of Biarni being placed, by the Annals, in 1222 instead of 1223, we should be inclined to remove the consecration of Jofreyrr to 1224, it must at least have taken place rather early in that year, as Archbishop Guttorm, who must have performed it, died before Easter 1224.¹ The name "Jofreyrr" being very uncommon, it would be singular if at the same time there were two distinguished prelates of that name. Now, as there was a *Jofreyrr*, Dean of Tunsberg in Norway, present at the same assembly of notables in 1223, where Bishop Biarni attended, it is most probable that he is the identical Jofreyr who succeeded Biarni as Bishop of Orkney. If the death of Biarni, as we have conjectured, happened in Norway, then the Chapter would immediately proceed to appoint his successor, without waiting for any communication from Orkney; and Jofreyr may perhaps have brought to Kirkwall the first notice of his predecessor's death. This supposition will account for the short time which elapsed between the death of Biarni and the consecration of Jofreyr. The Annals place his death in 1248. It must have happened in 1247, because

JOFREYRR.
1223(4)—1247(8)

HENRY I. (Heinrekr) having obtained a Papal dispensation on account of the defect of his birth (Diplom. Norveg., vol. i. p. 32.) was consecrated early in 1248 (*Hák. Hák. Saga*, cap. 264). He died in 1269. In the edition of the *Saga* he is called *Hervi*. This, I think, is a mistake; the MS. probably spelling his name after the English form *Henri*, which has been read first as *Heuri*, afterwards transposed *Herui*.

HENRY I.
1248—1269.

PETER was consecrated in 1270, died 1284. (Annals.)

PETER.
1270—1284.

¹ *Vide Hákönar Hákönarsonar Saga*, cap. 100.

DOLGFINN.
1286—1309.

DOLGFINN was consecrated in 1286, died 1309. (Annals.)

WILLIAM III.
1310—1328 † x.

WILLIAM III. was consecrated in 1310. Down to the year 1328, his name occurs in several records. In the year 1321, he was suspended by Archbishop Eilif, on account of some accusations against him; but, in 1327, we find him still attending a provincial synod held by Eilif. That suspension has probably induced Huitfeldt, in his list of bishops, to confound him with his successor: he goes so far as to state, that William III. was consecrated in 1309, and William IV. was deposed in 1320, the error of which statement is obvious. Still, it has not yet been ascertained when William III. died, nor when

WILLIAM IV.
1328†x—1382(3)

WILLIAM IV., his successor was appointed. The fact which we learn from the series, is that William III. was immediately succeeded by William IV., and, from the Annals, that William IV. was slain in the year 1382, or, according to another computation, in 1383. There exists a record, dated Kirkwall, May 25, 1369 (printed in *Diplomat. Norveg.*, p. 308¹), where Bishop William is mentioned; this must, of course, be William IV.

WILLIAM V.
1382(3)—1390(1)

WILLIAM V. Spotswood says, that one William, Bishop of Orkney, appears in a record from the time of King Robert III. Now, as Bishop Henry is mentioned so early as 1394 (*vide infra*), this William V., if Spotswood is correct in his statement, must be assigned to that part of the reign of Robert III. between 1390 and 1394. Perhaps it is possible to approximate still further. In a grant of the lands of Newburgh and Auchdale, Aber-

¹ As some of the persons mentioned in this record have Scottish names, we insert the list:—Sir William of Buchan, Archdeacon of Orkney, Sir Walter of Buchan, Canon *ibidem*, Sir John Proktur, Sir Richard of Rollisey, Sir Christen of Teyn, Sir Christen of Sanday, Sir William Wod, Thomas Arland, Fergus of Rosca, Henry Williamson, John of Orkney, William Storm, John of Boduel, John Robertson, Adam of Mekre (or Inkre), Gudbrand Anderson, Sigurd of Pappley, John Sincler, Patrick Kaldar, Duncan of Karinkors, Bube Skinner, William Eruin, John of Dunray, Olaf Skutt. Here the title *Sir* is equivalent to *Reverend*.

deenshire, by Henry Sinclair, Earl of Orkney, to his brother David, dated Kirkwall, April 23, 1391, afterwards confirmed by Robert III. (published in *Registrum Magni Sigilli Reg. Scot.*, p. 196), the witness to the act, first named among other persons of distinction of the place, is *Walter of Buchan*, Archdeacon of Zetland. Now, it would be rather singular that the Bishop, if there were any, should not be present to an act of this kind. We may perhaps conclude from thence, that the See was vacant in 1391, the more so, as the Archdeacon of Zetland, who ought regularly to reside there at Tingwall or Scalloway, was present at Kirkwall, probably to administer the See during the vacancy. There are some other facts, not unworthy of attention. In a Norwegian record,¹ dated Sandwick, in Zetland, March 4, 1360, there appears a *William Johnsson*, Archdeacon of Zetland. In the above mentioned diploma of 1369, he appears again as *William Johnsson of Buchan*, Archdeacon, while *Walter of Buchan* appears as canon only. It is not at all unlikely that this *Archdeacon William* was the same person as Bishop *William V.*, appointed after the death of William IV., in 1382 or 1383, and that *Walter of Buchan*, evidently his relation, nephew or brother, had been appointed to the Archdeaconry by him. Supposing the See vacant in 1391, William V., being contemporary with Robert III., must have died late in 1390, or early in 1391.

HENRY II. appears in a record of 1394, mentioned by Torfæus. There is consequently no doubt that he was bishop at this time. This fact must be well attended to, or we may otherwise be misled by the statements of Mag. Absolon Pedersön of Bergen, who wrote a kind of panegyric description of Norway about 1570, and certainly had access to many important records, afterwards lost. The Magister says, that Bishop *John* of Orkney was contemporary with King Magnus V. (1319—1374), and that *Henry*, Bishop of Orkney, was contemporary with King Hákon VI. (1355—1380). Now, as Henry really lived in 1394, and his predecessor's predecessor, William IV.,

HENRY II.
1391—1395 ?

¹ See in "*Samlinger til det Norske Folks Sprog og Historie*," vol. vi. p. 520.

was not killed before 1382, two years after the decease of King Hákon, the old Magister is evidently mistaken. Supposing our conjecture as to the vacancy of the See in 1391 to be well founded, Henry must have been appointed about that time. He must have been dead before 1397, as his successor,

JOHN.
1396 ?—1422 - y.

JOHN or JONAS (Johannes Anglus) appears in the union treaty of *Calmar*, 1397. Huitfeld, in his list of Bishops, omits William V., and Torfæus places Henry after William IV., and John after Henry. That there was really a Bishop John about this time is therefore evident; but when, and how long the said John was Bishop, is never likely to be ascertained. He must certainly have been dead before 1422, the earliest date when

THOMAS.
1422 - y—1455†x.

THOMAS DE TULLOCH appears in existing records. His name is rather frequently to be found in public records from that period. Keith, according to Father Hay, states that his successor *William* is mentioned as bishop in a record dated April 15, 1448; but here he is most unaccountably mistaken, as the very letter in Father Hay's manuscript, to which he alludes, is not issued by William, but by Thomas.¹ Moreover, there exists in the charter-chest of the Town-house of Kirkwall a letter of Bishop Thomas, dated Kirkwall, July 12, 1455, and confirmed by his successor, Bishop William, March 21, 1465; which shows that Thomas was still alive in 1455, and that his death must have taken place between 1455 and 1465. An accurate copy of this letter is inserted *infra*, p. 192.

WILLIAM VI.
1465 - x—1477.

WILLIAM [VI.] DE TULLOCH, appointed before 1465, and transferred to Moray, 1477, was the last Bishop during the dominion of Norway in the Orkneys.

¹ See the "Genealogies of the Saint Clairs of Roslyn," p. 78. The correctness of Father Hay's transcript, in regard to the name, is fully confirmed by an examination of the original document.

P. 34. [*Nullo*] is superfluous, the word *posteritates* in the MS. being an error for *posteritatis*, and the whole should construe thus:—"Revera enim usque hodie illorum [*sc.* Comitum Orcadensium] posteritatis dominio subjacent [*sc.* insulæ ipsæ], excepto quod," &c., as it is to be inferred from page 75, l. 3—7, where the same words are repeated, and translated: "trew it is that the landis onderliis the dominion of the posteritie of thame [the Earls of Orkney] till this day," &c.

P. 65, 67, &c. The King, to whom the Diploma is directed, is evidently Christopher the Bavarian, succeeding in Denmark and Norway, and at last in Sweden, when Eric the Pomeranian, who had been King since 1389, fled from his kingdoms, in 1439. Christopher was crowned in Denmark in 1440, but in Norway not before 2 July 1442, at Oslo, where, among other prelates, Bishop Thomas Tulloch of Orkney was present. Eric is therefore (p. 67), called his "predecessor," and "quondam recolende memorie." It would from hence appear that Eric, while investing Earl William with the earldom, had still ordered the Bishop and the worthies of Orkney to ascertain his birthright; and that the diploma was issued in compliance with that order, although too late to find Eric on the throne, but still in due time to insure the Earl the confirmation of King Christopher. The order of King Eric is specified at length, p. 69: it is a sort of defiance as to the production of any records that could weaken William's title to the Earldom, well aware that such records could not be produced.

P. 75. *Hlauderver*. The name is written in the Sagas *Hlöðver* or *Hlaudver* [the Anglo-S. Hloðhere]: this the copyist has mistaken for *Hlaudver*.

P. 85. The Diploma being issued, as just stated, under the reign of Chris-

topher, it has probably been dated "Millesimo quadringentesimo quadragesimo tercio," but the blundering clerk, having written "millesimo quadr—", has, as often will happen where words or syllables like each other are to be transcribed, passed from the first "quadr—" to the other, thereby producing the erroneous number *millesimo quadragesimo tercio*. An attempt to correct it has been made, in altering *quadragesimo* to *quadringentesimo*, but that correction is not sufficient. The translation, evidently made after another copy, more accurately written and more complete, has 1406, curiously enough, with the same omission of the *tens*. It would appear from hence, that the omission had already taken place in the original, or that the year has been carelessly written here *m° ʳ° · sexto*. The translation has 14[4]6, while the original has 14[4]3. If the number of the year was originally written with Roman ciphers, I could account for that variation, having sometimes found in our old records a "v" in numbers, as in words, expressed with an "u", and therefore the number 6, *vj*, written "*uj*", which is too like "*ijj*", not to create any mistake. Supposing this conjecture to be right, the number must either be *ijj* (1443), or *vj* (1446); which year also falls within the reign of Christopher, who died in 1448.

Besides the above mentioned circumstance that Christopher, to whom the Diploma is addressed, was not King of Norway before 1442, it may not perhaps be without interest to remark, that Henry Randall, who is styled lawman of Orkney in the translation, is also named as lawman in a record of the date Jan. 24, 1438, where he states, along with John Haraldson, bailie of Kirkwall, and James of Lask, that they heard two men [named] swear on the "hirdman steine," before the Earl and "the gentiles" of the country, that they were present in the vestry of the cathedral of St Magnus, when Thomas Sinclair asked John of Kirknes, *then lawman of Orkney*, some questions. This would seem to imply that, in the year 1438, Henry Randall had only been lawman a very short time, and that the lawman of 1434 may probably have been John of Kirknes.

Having copied from the Panmure MS. the series of the Norwegian Kings,

which immediately follows the Orkney record, I am still more convinced that the date of the latter must be placed *after* or *in* 1443. The series ends thus :— post ipsum Olaum accepit Ericus regnum, et rexit Norwegiam, Daciam & Sweciam, *liij annis usque in hodiernum diem*. Now, Eric (called the Pomeranian) dates his reign from the month of Sept. 1389. The “hodiernus dies” must thus run between Sept. 1443, when he ended the 54th year of his reign, and Sept. 1444. As this may appear contradictory to what has previously been said of Christopher, it must be remembered that Eric was never formally deposed or renounced in Norway, although his absence being a fact, Christopher was crowned; and there exist records during the reign of Christopher, nay even after his decease, still dated in the *current year of Eric's reign*, down to the 59th. As Christopher was not crowned in Norway before the 2d of July 1442, the records, before that day, were all dated in the year of Eric's reign, in so far as they were not dated in the year of Christ. The news of the coronation of Christopher must of course have reached Orkney later than any part of Norway. I am therefore strongly inclined to think the series must have been drawn up when that fact was not yet ascertained.

P. 107. A “silver stoope with sex stoppis inclusit” is a cylindrical stoup with 6 other similar stoupes gradually decreasing in diameter, so that they can all be put concentrically into the largest, in which manner they are still very often fabricated in Norway.

P. 109, 110. Dr John Oke [Oak], *Johannes Oke de Gestria*, is the same who calls himself in two records, written in Norwegian, 1512, Dr Hans [*i. e.* Johannes] Eek [the Dano-Norw. form for Oak] of Gestrya-land, Vicarius in Skatzta, and Chaplain to King James in Scotland. It appears from these records, that one-half of the island of *Sandfridaröy*, now called *Samfray* in Yell-sound, Zetland, was bequeathed to him by Sir David Sinclair in his Testament, and that the gift was confirmed by Lord Henry

St Clair. The word or name left blank in the 9th line of page 109, owing to a hole in the original, ought therefore to be *Samfray*.

In one of the records, of which an accurate copy may here be given from the original, preserved in the charter-chest of the Town-House of Kirkwall, Doctor John Oke declares himself to have sold his part of Samfray; another contains an attestation from Andor Bishop of Bergen, that he had seen the Testament, especially the part of it where Sir David bequeaths the land in question to the Doctor.

LETTER OF BISHOP THOMAS, 1455, CONFIRMED BY BISHOP WILLIAM, 1465.

Be it kende till all men be þir pñt lřes We Williame be þe mcy off god biſchope off Orknay ande Schetlande Till haiff ſeyñ reyde ande deligentli to haiff ſtudytt ane let[?] off affidacioñ and tak off thre pēnyland off Stanbuſt[?] witht þe ptineñ maide to ouř friande and mañ Thoñe off Covplande be ouř p'deceffouř off gude mynde lorde biſchoř Thomas nocht rayfft nay zett ſchoreñ nay an ony part off it faulty þe formē off þe quhilk fowluff in þis mañ Bet it kende till allmen be þiř pñt lřes We Thomas be the mcy off Gode biſchope off Orkney and off Schetlande till haiff sett ande be þiř pñt lřes witht þe conſent off ouř chapt[?] fully settis till our luffit friande t mañ thoñe cowplande for all þe days off his liſſ thrē pēnylande lyande in Stanbuſt[?] with in þe pochane off Santandroff witht all fredomys ppirteis ande lauchfull omoditeyff þe ſaid thome payand gherlie till ws ande ouř ſucceffoř biſchopis off Orknay for þe ſaide place ane barale off but[?] ande four meř of malt batht for maall and for tende ande to bryng it fre till our place off Kyrkwaw / Ande we mak kende at þe faide thome has paytt ws to gerſomē for þe faide place ande tak aucht mark off filū to þe wphalde off ſant Magn[?] werk ande to be diſponit be þe will of ws þe forſaide lord biſchope Thomas jn þe witneff off þe quhilk thing we haiff ſet ouř ſele to þiř pñt lettis togidd[?] witht þe ſiell off our chapttair at Kyrkwaw þe xij day off julij þe gheř

of Gode a M° cccc° fifty and fyiff gherf And we þe forsaïd biſchoþ Williame
 approvis ratifyis ande fully confermyis the tak ande ſettyñ and wřtt þat ouř
 p²decefforſ ſeit to ouř man Thome of Cowplande in all and fundry pūctf
 articulis and c²cūſtans in forñe ande effyit forſaid We oſerme be þiř pñt
 lřes Gyffñ ond ouř ſeell autentik at Kyrkwaw þe twenty j day off þe moñeth
 off martht þe gher off God ane thouſande four hundretht ſexty ande fyiff
 gherf.

[Loco figilloque avulſis.]

It may perhaps be interesting to know, that, in a letter dated in the year 1490, and preserved in the Norwegian record office, Sir David Sinclair knight, is styled Captain of the castle of Bergen in Norway, and Governor of Zetland. He thus held offices from the crown of Norway and that of Scotland at the same time; and his being, in the former quality, a liege subject of the Dano-Norwegian king, may account for the collar he states himself to have got from the latter (*supra*, p. 109), as well as for his bequeathing this collar to an altar in the church of Roeskilde.

It may be added, that the records, in which the testament of Sir David Sinclair is mentioned, were brought from Bergen to Copenhagen by the celebrated Arne Magnusson, as a loan, but have never since been restored: they now form part of the Arnamagnæan collection, (Fasc. 100, No. 6 & 7.)

The documents referred to (accompanied with a literal translation) run as follows:—

A.

Alle dandhe men som thetta breff	All loyal folk to whose know-
fföre kömer. Helsar jeg doctor	ledge this letter shall come, I, Doctor
Hans Eek aff Gestryalandh vicarius	John Eek [Oak] of Gestrya, vicar of
j Skatzta, högbwreen herres Jacob	Skatzta, chaplain to the high-born
med gudz nad konunges aff Skot-	lord James by the grace of God king

landh kappelan. kerlig med gud. oc görer witherligith med thetta mit nærwarande öpne breff at jeg haffwer saalth hedherlighöm manne Gwdtorm Nielsson lagman j Berghen xij mark brændha j Sandffriaröö som liggher i Jælaswndh j Hiæltland. med hwss oc jardh og alt thet ther tiil liggher eller legath haffwer ffraa ffoor-na och nyo ffraa mik oc myna ærffwyngha oc tiil honom oc hans ærffwyngha tül æwerdeligh eegn. hwlko jordh med tiil eegn jeg ffik ffraa her Dawidh Syncklare. fför myn tizenisth. gud hans sizel naadhe Som i hans testamendes breff bewisas. oc högbwren herre her Hendrik loord Syncklare höwißman öffwer Hjæltlandh, &c. med syn breff sydlhen stadffæsth haffwer. fför hwilka jardh med til eegn jeg bekenner mik weel betalæon saa at mik veel atth nögher gyffwandes honom oc hans ærfwynghwmm fföre mig oc mynne ærffynghe qwyth oc ffry nw oc æwerdeligha. tül sannyndh her om beder jeg werdigh herre Biskup Andorss, Biskup i Berghen oc hedherlighe mendh Tord Matzson och Jacob Matzson radmendh j Berghen jnsigle med myth syth fföre thetta breff som scriffweth ær j Ber-

of Scotland, friendly greet in God. Be it kend by this present my open letter, that I have sold to the honourable man Guttorm Nielson, lawman in Bergen 12 mks. burnt [sc. pure silver] in Samfray, lyand in Yell-sound in Shetland, with house and earth and all that thereto lies or hath lain from old and new times; from myself and my heirs and unto him and his heirs, eternally to possess, which earth with pertinencies was given unto me by Sir David Sinclair, God have mercy with his soul, for my services, as is to be seen in his letter of testament, and the high-born lord Sir Henry lord Sinclair, governor of Shetland, &c. hath afterwards confirmed by his letter. For whilk earth with pertinencies I acknowledge myself having been well paid so that I am fully content, declaring him and his heirs quitt and free now and eternally for myself and my heirs. In witness thereof I ask the reverend lord Bishop Andor, Bishop of Bergen, and the honourable men Thord Mattsson and James Mattsson raadmen [councillors] in Bergen to put their seals along with my seal to this letter, written in Bergen on the

ghen Anno Domini M^o d^o xij^o ipso day of St Praxede, virgin and mar-
die Sancte Praxedis virginis nec non tyr, &c. [July 21], A. D. 1512.
martiris, &c.

[In dorso: *Vm Sandffrijdar ey.*—Cum quatuor sigillis. No. 2 has the
legend: DOCTOR...IO..... the rest is effaced.]

B.

Wij Andoor med gudz naad bis-
kup j Berghen gööre alla gode
menn kwnykt at wij haffwa seet och
læseth Dawid Syncklarss testamentz
breff saa lwdandes i blandh annor
oord at fforneemde her Dawid Sync-
klare gaff hedherlighum man Doctor
Hans Eek j testamenth halffwa Sand-
ffryaröö som liggher j Jæla swndh j
Hiæltlandh tiil æwerdheligh æghn.
oc tiil saninghe her om henghia wij
waarth jnsigle fför thetta breff som
scriffweth æær j Berghen daghen
næst effther Sancte Laurencii daagh
Anno Domini M^o d^o xij^o

We Andor by the grace of God
Bishop of Bergen, make known unto
all good men, that we have seen and
read the letter of testament of David
Sinclair, containing, among other
words, this article, that the aforesaid
Sir David Sinclair gave to the hon-
ourable man Dr Jolin Eek in testa-
ment the half of Samfray lyand in
Yellsound in Shetland, eternally to
own. In witness thairof wi hang
our seal for this letter, written in
Bergen, on the day next after the day
of St Laurence [August 10] A. D.
1512.

[Sigillo avulso. In dorso: *Vm Sandffrijdar ey.*]

While this sheet was at press, we are informed by Professor Munch, in a
letter written from Copenhagen, that the writing of the Panmure Manu-
script, described at pages 27 and 180 (of which he had made a most
accurate fac-simile), corresponds in every respect with two early documents

preserved in the Royal Archives at Copenhagen. "One of these Diplomata (he says) is dated Kirkwall, the last day of February 1460. The other is a letter from William Earl of Orkney, dated Roslin, the penult day of September 1461. This shows that the writer of the Panmure Codex really lived about 1460. Moreover, the fact that he accompanied Earl William to his extra-Orkadian seat of Roslin, further shows that he must have been connected with the Earl's household, probably either as his chaplain or secretary. All this is interesting indeed.

"I found also there (he adds) a letter from Bishop William, dated Wednesday after St Margaret's day 1462, containing his oath of allegiance to King Christian I. Hitherto, as you know, we had William mentioned not earlier than 1465. As King Christian ascended the throne twelve years before 1462, we may conclude that it was the Bishop, on his advancement to the See in 1462, who was required to tender his oath of allegiance. St Margaret's day being about the middle of the year, the death of Thomas Tulloch, Bishop of Orkney, may therefore be assigned to the end of 1461, or the early part of 1462."

THE TESTAMENT
OF RICHARD LAWSON,
BOOKSELLER, AND MERCHANT-BURGESS
OF EDINBURGH.
M.DC.XXII.

(Vol. LI.)
 RICHARD LAUSONE.
 tertio Januarij
 1623.

THE TESTAMENT TESTAMENTAR, AND INVENTAR of the guidis, geir, fowmes of money, and debts pertening to vmquhile RICHARD LAUSONE, Merchand-Burges of Edinburgh, the tyme of his deceis, quha deceift vpon the . . . day of September 1622 3eiris, ffaithfullie maid and gevin vp be him selff vpon the xxiiij day of August, the 3eir of God foirfaid, as concerning the nominatioun of executoris, legacies, and debtis awin be him for the maist pairt, and gevin vp be Agnes Mayne, his relict spous, in sua far as concernis the Inventar of his guidis, geir, debtis awin to him, and vther parts of the debts awin be him, quhilk Agnes Mayne is onlie Executrix Testamentar acceptand, nominat be the Defunct in his latter will vnderwritten, as the famyne of the dait foirfaid, subscribed with his hand in prefence of the witneffes vnderwritten, mair at lenth beiris.¹

IN THE FIRST, the faid vmquhile RICHARD LAUSONE had the guidis, geir, fowmes of money, and debtis, of the awaill and pryces efter following, per-

¹ In the former volume of this Miscellany, there is given a series of Wills and Inventories of Booksellers and Printers in Edinburgh, from 1577 to 1687, extracted from the registers of Confirmed Testaments in the Commissariat of Edinburgh. The Testament of Richard Lausone or Lawson was then overlooked, from his being simply styled "merchant-burgess." He carried on the business of Bookseller from about the year 1600 till the time of his death, in 1622. His name appears on the title-page of one or two works; in particular, the translation of Henry Stephens's "World of Wonders," in 1608, folio, and the rare edition of Sir David Lyndesay's Works, and his Squyer Meldrum, printed by Thomas Finlayson, 1610, 4to.

tening to him the tyme of his deceis foirlaid, viz. in his buithe, iiij^o bund buiks of Devinitie in Lateine, estimat all to J^r ij^o £. Item, v^o bund buiks of Lateine, estimat all to vj^o £. Item, tua Bybillis in Lateine, pryce of baithe, x £. Item, tua Bybillis in Hebrew, pryce of baith, viij £. Item, xl bunde Frenche buiks, estimat all to xxx £. Item, thrie grit New Testaments, estimat all to xl s. Item, iij^o bund buiks of Devinitie of Ingleifche, estimat all to vj^oxx £. Item, ij^o bund buiks of Humanitie and Historie in Ingleifche, estimat all to iiij. l £. Item, ix^o Pffalme Buiks, unbund, for bairnis, estimat all to ij^oxxv £. Item, viij^o Pffalme Buiks, in xxxij volume, unbund, estimat all to lxxx £. Item, in Vtenceillis aud Domceillis, with the abulgements of his bodie, by the Airfchipe, estimat to iij^o £.

Summa of the Inventar, Jij^r v^o xxv £.

Follows the Debts awin to the Deid.

Item, thair was awin to the said vmquhile Richard Laufone be Mr George Kirk, minifter at . . . , iiij £. xiiij s. iiij d. Item, be Andro Wod, in Vnderkeithing, brother to the Laird Balbegno, lxxj £. v s. iij d, restine of ane gritter sounge contenit in his band theirin conteint. Item, be Harbert Maxuell, burges of Edinburgh, iiij £. Item, be Sleke of Cumnage, in the Merfs, xij £. xvj s. Item, be Mr George Wifchart, minifter, xlv £. xiiij s. viij d. Item, be George Home of Barnefyde, xx £. ix. s. iiij d. Item, be Mr Thomas Knox, Bischope of the Isles, xxvij £. iiij s. Item, be Mr Thomas Bonar, minifter in the Merfs, iij £. x s. Item, be Mr James [. . . .], minifter at Hamilton, restine of ane gritter sounge contenit in his band, x £. xiiij s. iiij d. as principall, and x £. of penaltie. Item, be Mr Harie Levingstoune, minifter at Kippane, v £. viij d. Item, be Archibald Campbell, brother to the Laird of Caddell, Capitane of Dumvege, v £. xvij s. Item, be Mr Archibald Moncreiff, minifter at Abernethie, viij £. xix s. Item, be Eliazer M'Kefone, herauld, iij £. x s. Item, be James Lambe, minifter at, x £. ii s. Item, be Mr David Fentoune, pedagogue to the Laird Craigmiller, iij £. vij s. Item, be Mr Andro Arbuthnot,

minister at Swintoun, x l. xix s. Item, be Mr James Home, minister at Hiltoun, xi l. Item, be Mr Joseph Rae, minister at Cartoquhay, xv l. i s. iiij d. Item, be Mr David . . . , servitor to my Lord Coupar, vij l. Item, be George Trotter of Bretnant, xj l. viij s. viij d. Item, be Mr Andro Allane, minister at . . . , in Angus, xlvj l. vj s. Item, be Mr James Bischope, minister at Vndernes, iiij l. viij s. viij d. Item, be Mr Johne Home, pedagogue to the Lard Blacader, lvj s. Item, be William Douglas of Toftis, xi l. vj s. Item, be Mr Johne Ramsay, minister at . . . , vij l. vj s. Item, be . . . Wifchart of Lochie, xxviij l. vj s. viij d. Item, be Mr William Scharpe, clarke of Bamphe, xvij l. xiiij s. vj d. Item, be George Olipher, minister at Rae, in Caithnes, vj l. xiiij s. iiij d. Item, be Agnes Gibsone, relict of vmquhile . . . Ramsay, v l. vij s. iiij d. Item, be Mr David Spens, minister at Kirkcaldie, v l. x s. Item, by Mr Henrie Cokburne, minister at . . . , iij l. x s. Item, be Mr Alexander Douglas, Bischope of Murray, xxxij l. xij s. Item, be Mr Robert Sempill, minister in Ireland, xliij l. xvij s. Item, be Mr Patrike Inglis, minister at Kirkwall, in Orkney, vij l. ix s. Item, be Mr William Hamiltoun, minister at Moufhill, xliij l. xvij s. Item, be William Davidfone, portionar of Hercus, xvij l. v s. Item, be . . . Home of Restoun, x l. ix s. Item, be Duncane Campbell of . . . , xxij l. Item, be James Maister of Boyd, xxiiij l. xvij s. Item, be Jonet Adamsone, relict of vmquhile Samuell Blaikburne, xxi l. xvij s. Item, be Sir Archibald Murray of Blake Barronie, ix l. xiiij s. Item, be . . . Row, minister at Fergus, iij l. ij s. Item, be . . . Scharpe, relict of vmquhile Mr Robert Glen, minister at Crowmannoke, vi l. xij s. Item, be Mr Henrie, Kinrofs, as cautioner for William Steilling, four pundis. Item, be Mr Alexander Colwell, brother to my Lord Culrofs, xx l. xvij s. Item, be Mr Johne Watfone, minister at Inche, xix l. xv s. Item, be Mr Patrike Adamsone, minister at . . . , xvj l. ij s. viij d. Item, be Frances Cokburne of Tempill, xxxiiij l. iij s. viij d. Item, be the aires, executors, and intromittors with the guidis and geir of vmquhile Mr

George Fraffer, xxxj f. ij s. Item, be Mr Andro Kinneir, minister at . . . , vj f. xvij s. Item, be Cheifholme of that Ilk, vj f. xvij s. Item, be Mr Williame Naper, brother to vmquhile Naper of Merchiftoun, vj f. ij s. Item, be Mr Patrike Wemyis, Regent in St Androis, xlvij s. Item, be Mr Archibald Hamilton, minister at Monk-toun, xxv f. vj. s. viij d. Item, be Mr James Rattray of Logie, viij f. iiij s. Item, be Robert Home of Quhitfonehill, vj f. Item, be Mr Thomas Annan, minister at , in Cathnes, xxxix s. Item, be Mr Alexander Guthrie younger, clerke, xxxij f. iiij s. Item, be Cunynghame, brother to the Laird Robertland, xxxviiij s. Item, Mr Johne Fyff, minister at , l s. Item, be Schaw of Knokhill, xx f. Item, be Mr Johne Galbraith, minister, xx s. Item, be Mr Gilbert Murray, minister in Rofs, xl f. Item, be Mr Neill M'Coline, minister at vij f. xvij s. Item, be Johne M'Crannald, Capitane of Clanrannald, xij f. x s. Item, be Mr William Wischert, minister, vij f. xiiij s. Item, be Muschet of that Ilk, xxx s. Item, be Robert Richefone of Pencaitlane, xlvij s. Item, be Mr Robert Broune, iij f. x s. Item, be Mr John Adam-fone, minister at Libbertoun, xliij s. Item, be Mr Johne Gibbefone, minister at Damany, xxviiij s. Item, be Mr Williame Keith, agent to the Erle Merfchell, iij f. iiij s. Item, be Foulertoun, fone to vm-quhile David Foulertoun, xxiiij s. Item, be Mr Patrike Hamiltoun, minister at St Cavoce, xxxviiij f. xij s. Item, be Crichtoun of Clunie, iiij f.

Summa of the Debts awin to the Deid, I^{re}. lxxvij f. xv s. x d.

Summa of the Inuentar with the Debts, Iij . V^o. lxxxxij f. xv s. x d.

Followis the debts awin be the Deid.

Item, thair was awin be the said vmquhile Richard Laufone, to vmquhile Mr Johne Davidfone, quhilk he mortefeit to the Skole of Prestounepanis, iiij^olxxvj f. xij s. iiij d. Item, to James Cathkeine, conforme to ane obligatoion, iiij^olxxvj f. xij s. iiij d. Item, to Elfpeth Levingstoun, I^{re}xxxij f. vj s.

vij d. Item, to Eliaffar Kathkeine, be his subferyvit compt, xxx l. x s. Item, to Walter Maiver his bairnis, i^olxxxvj l. vij s. iiij d. Item, to James Primroise, conforme to his band, vj^olxxvj l. xiiij s. iiij d. Item, mair to the said James Kathkeine, of borrouit money, viij^o l. Item, to George Sutie, merchant-burgos of Edinburgh, ij^oxxx l. Item, to Patrike Lourie, conforme to his compt, lxxvj l. Item, to Johne Bill, in Loudoune, conforme to his band, vij^olxxxvj l. Scottis money. Item, to the printing hous thair, iiij^oxxvij l. i s. Scottis money. Item, maire to the said Johne Bill, buikefeller at Loudoune, at tua feuerall tymes, xl l. xvj s. Scottis money. Item, mair to him, conforme to his band, daittit in September 1621 zeiris, I^oxiiij l. Scoittis money. Item, mair to him for buik[is] coft, in Junj 1622 zeiris, lxxxiiij l. Scoittis money. Item, to William Barrat, . . . conforme to his band, I^olix l. Scoittis money. Item, mair to him, lxxij l. Scoittis money. Item, mair to him, for buikis coft, in Junj 1622 zeiris, Ij^olv l. Scoittis moncy. Item, to Laurence Henderfone, for paiper, xvj l. xvj s. Item, to Peter Blaikeburne, xxvj l. xiiij s. iiij d. Item, mair to the said James Kathkine, lxxx l. Item, to Robert Trotter, merchant, xxvij l. xv s. Item, to Alexander Tailfeir, merchant, xiiij l. xij s. Item, to James Laufone, fone to the defunct, for buikis, j l. Item, to John Dikfon, fleschour, of borrowit money, the xx of August laft, j^o l. Item, to Edward Nisbet, for hous mail, l l. Item, to Mr John Foullar, for buithemaill, xl l. The debts vnderwrittin, gevin vp be the Executrix. Item, to Mr Alexander Paterfone, and John Hamilton, apothecar, for drogis and medicaments to the defunct, the tyme of his feiknes, j^o l. Item, to Kathareine Kowane, fervand, for hir zeiris fie and bountethe, in anno 1622 zeiris, x l. Item, to Jonet Halliday, fervand, for hir zeiris fie and bountethe, jn anno foirfaid, x l.

Summa of the Debtis awin be the Deid, V^a. Iij^o. lxix l. xvij s. iiij d.

And fua the Debtis exceidis the Guidis, the fowme of, Viiij^olxxvij l. j s. vj d.

Followis the Deidis Legacie and Latter Will.

Be it kend till all men be thir present letters, me, RICHARD LAUSONE, merchant-burges of Edinburgh, feike in bodie, bot haill in mynd, and of guid memorie, knowinge na thinge mair certane nor death, and na thing mair vncertane nor the hour and tyme thairef, makis this my Testament and Latter Will, as efter followis :—Geffin vp be my selff, in the first, I commit my faull to God Almichtie, and hoipis to be faiff, throwe the merets of Jesus Chryft allanerlie, and ordanis my bodie to be honnestlie bureit, as effeires. Item, I nominat and constitut, and be thir presentis makis, nominatis, and constitutis Agnes Mayne my luiffing spous,¹ James Primroise my luiffing sone, and James Cathkine my lowing brother,² my onlie executors and vniuerfall intromitters with my guidis, geir, debtis, and sowmes of money quhatsumewer. Item, I lew my thrid part of my guidis and geir to the said Agnes Mayne my luiffing spous, to be intromettit, vseit, and disponit be hir at hir pleffour, and the thrid part of my haill guidis and geir to be devydit equallie amongis my bairnis, to wit; Ewphame, Jonet, Agnes, and Marionne Laufones, my laifull dochters, and Margaret Laufone, my laifull dochter also, equallie and proportionallie, as said is. Item, I nominatis and lewe, and be the tennor heirof, makis, nominatis, and lewis the said James Primroise my darrest sone, tuttour testamentar to Marioune Laufone my dochter. Item, I nominat James Cathkine my lowing brother, tuttour testamentar to Margaret Laufone my dochter. Item, I nominat Piter Blaikburne tuttour testamentar to Agnes Laufone my dochter, and ordainis the said Agnes Mayne my spous, to gif vp Inventar of my haill guidis, geir, and debtis quhatsumewer; and for the mair securitie, I, the said Richard, hes subscryvit thir presentis with my hand, at Edinburgh, the xxiiij of August 1622 zeiris, befor thir witneffes, Mr William Brown,

¹ She survived till August 1651. (See note in vol. ii. p. 267.)

² His brother-in-law: James Cathkin died in September 1631, and Jonet Mayne, his wife, in April 1639. Their Wills are given in this work, vol. ii. pp. 249, 253.

Thefaurer Clarke; John Dikfone, fleschour, burges of Edinburgh; and Daid Laufone, nottar, writer heirof, with findrie vtheris. Sic subscibitur, RICHARD LAWSONE, with my hand. Mr Williame Broune, witnes, John Dikfone, witnes, Daid Laufone, witnes.

WE, Maisteris John Arthour, &c., and giwes and committis the intromiffioun with the famyne to the said Agnes Mayne, onlie executrix testamentar acceptand, nominat be the said vmquhile Richard Laufone, hir spous, in respect the vther tua executors nominat hes *re integra* renuncit, &c., and fcho being fuorne, maid faithe, &c., James Laufone, eldest sone and air to the defunct, being cautioun, as ane act maid thairvpon beiris.

xvj Aprile 1635.

EIKE vnderwrittene maid heirto, as followes, viz. :—Ther was awin to the said Defunct, the tyme of his deceis, ane annuelrent of fyftie pundis money zeirlie, furth of that tenement of land, of auld boundit be vmquhile John Glen, thereafter perteaning to vmquhile William Lawfoun, burges of Edinburgh, and thereafter to Andro Lawfoun, merchant-burges of Edinburgh, lyand on the south fyde of the Hie streit of Edinburgh, in the wynd called Peables wynd, on the eist syd therof, boundit in maner mentionat in the said Defunctis his infestment in the, same restand zeirlie and ilk zeir, the zeiris of God, 1597, 1598, 1599, 1600, and zeirlie thereafter, vntill the tyme of the Defunctis deceis, quha deceisit in September 1622 zeires, extending to the number of xxvj zeires, and in monies to Xij^o l.; and to be the tenentis, possefforis, and occupiares of the samyn land, quhilk being devydit in thrie partes, Deidis part is Iij^oxxxij l. vj s. viij d.: And geves and committis the intromiffioun, &c.

**THE PROGRESS
OF MY LORD WALDEN'S
JOURNEY IN SCOTLAND.
AUGUST M.DC.XIV.**

PROGRES OF MY LORD WALDEN'S JOURNAY IN
SCOTLAND [AUGUST 1614.]¹

No knowledge being had of his cumming to the Northe whill my Lord Thesaurare Depute² rencountring him neir Belfurd, wrait bak to the Secretare³ that he supponit he wald be in Edinburghe the nixt day. Vpoun receat of that letter, the Secretare, accompaned with ane numbir of gentlemen of the cuntrie, did attend his cumming at Muffilburghe linkis all the Thursday, 12 August, till it wes lait, and that he get knouledge that he wes not to be luikit for that night. Becaus he stayed at Dunglas with the Erle of Home, who, cuming that day from Edinburgh, rencountred him neir his house, and vfed him verie honorable. The nixt day, eftir he had dynd at Dunglas, he visited Sir James Home of Coldinknowes, his brother in law,⁴ and his lady, at Broxmouthe, and came fordward towardis Edinburgh. Vpoun his way he wes met be the Secretare and fum gentilmen of the cuntrie, and convoyed to the Cannogait to John

¹ The Report so entitled seems to have been a communication sent to Court, along with the informations which were usually transmitted of the proceedings of Privy Council. It is preserved in the volume of Sir James Balfour's collections, "State Bussines for the zeir 1614," no. 71.

² Sir Gideon Murray of Elibank.

³ Sir Thomas Hamilton, Lord Binning, afterwards Earl of Haddington.

⁴ The nobleman to whom so much honour was paid during his hasty visit to this country, was Theophilus Howard, Lord Walden, and afterwards Earl of Suffolk. He married Lady Elizabeth, second daughter and co-heiress of Sir George Home, Earl of Dunbar, who died suddenly, 29th January 1611, when the nuptials were about to be solemnized with great magnificence. The elder daughter married Sir James Home of Cowdenknows.

Killoches, whair he ludged that night. And the nixt morning went to the Castell of Edinburgh, and vewed the site, fortificatioun, and naturall strenthe thair of; and efter dinner raid from Edinburghe with my Lord Chancelare,¹ who, efter the Secretare had tane his lieve of thame neir Craumond, convoyed him to Dumfermeling; and interteined him thair with all kyndnes and respect till Monnonday the 16, that he went towardis Culrofs, to sie Sir George Bruce's coill workis; whair haiving reffaued the best intertannement they could mak him, my Lord Chancellare tuke lieve of him, and left him to be convoyed to Stirling be my Lord Erskin, whair he could not be perswaded to stay aboue one night. The nixt day he saw the parke of Stirling, dyned in the Castell, and raid that night towardis Falkland; still accompanied verie honorablie be my Lord Erskin, whill he wes mett vpoun the way be my Lord of Scone, who, affisted be many gentlemen of Fyfe, tuke him to his hous in Falkland, and wes not abill, be no intreatie, to move him to stay the nixt day to reffau that intertennement whiche he wald gladlie haue maid langer to him. So as, efter the fight of the Parke and Palice, haiving dyned, his Lordship and my Lord of Scone came to Bruntiland, whair he had reddie and speidie passage; bot the wind being verie loude, he wes exceiding feike at sea. At lenth, haiving refresched himself in Bernard Lindsay's hous,² the Secretare accompanied him to his ludging in Killoches, in the Cannogait, whither the Bailies of Edinburgh came to him, and invited him to supper, the nixt day, in thair towne, bot could not induce him, by any intreatie, to stay; Bot haiveing dismissed thame, went to Halvudhous, and saw his Maiesties Palice.³ And the nixt day, being the 19 of August, he pairted from Edinburgh, attended

¹ Alexander Seaton, Earl of Dunfermline.

² Bernard Lindsay of Lochhill, who had obtained a grant of the King's House in Leith. Taylor, the Water-Poet, in 1618 (see note to next page), says, "I was well entertained at Leith by Master Barnard Lindsay, one of the groomes of his Maiesties bedchamber,"—who, he adds, "did replenish the vaustity of my empty purse, and discharged a piece at mee with two bullets of gold, each being in value worth eleven shillings white money."

³ On the 13th November 1650, the Abbey or Palace of Holyrood was accidentally

be the Secretare, to Setone, whair he wes receaved be the Countes of Winton and hir childrene, and vfed with all due respect. Eftir fight of the hous,¹ he maid forward in his journey towardis Broxmouthe, whair he wes to stay with his brother-in-law that night, and to be the nixt with my Lord of Roxburgh, at his house of the Frieris, whiche I think wilbe his last ludgeing in Scotland, at this tyme. In all his journey throw this cuntrey, great and loveing respect hes been borne to him be all honest men, whair of he hes provin most wourthe; for he hes esteimed all thingis heir to the vttermaist of thair best wourthe, and in his courtes discretion, hes favourable excused all ouerfightis and defectis; exceeding the praifes of all thingis commendabill, and extenuating all blemishes. In Dunfermeling, haiving ressaued great satisfioun be my Lord Chancelaris honorabill and kynd vsage, and geiving dew praise to all that wes weill done and intended thair; fand no thing more acceptable nor the Sermone maid be the Bischope of Orkney,² whom my Lord Chancelare had thair with him of purpose. Everie honest man heir wisches happines to him, in all his vther journeyis and interpyfes, for the honorable, wyfe, and humane behaviour whiche he hes vfed amangis theme.³

destroyed by fire, and restored by Cromwell in 1658 and 1659, as recorded by John Nicoll, in his *Diary*, printed for the Bannatyne Club, in 1836. See also extracts in the note, vol. ii. p. 404; and a view of the Palace itself, in vol. i. p. 188 of this *Miscellany*.

¹ The destruction of "the princely ruins" of Seaton house, which was pulled down in the year 1790 (*Statist. Account*, vol. x. p. 97), cannot be too deeply regretted. The parish of Seaton before this had been conjoined with Tranent, and it was well that a modern church or chapel of ease was not then required to accommodate the parishioners, otherwise the fine old collegiate church of Seaton would have no doubt shared the same fate. The property, since that period, has fortunately passed into the family of the Earl of Wemyss, and if not injured by modern architectural improvements, we may expect it will remain for a lengthened period as a beautiful example of the ecclesiastical edifices which formerly adorned this part of the country.

² James Law, Bishop of Orkney: in the following year he was translated to the Archbishoprick of Glasgow.

³ JOHN TAYLOR, "the Water-Poet," set out on his Pennilesse Pilgrimage to Scotland in

July 1618, and a few extracts from the amusing account which he published may be quoted of his description of Edinburgh.

On the 13th of August, he says, "I came to take rest, at the wished, long expected, ancient famous City of Edenborough, which I entred like Pierce pennilesse, altogether monyles, but I thanke God, not friendlesse."—When "walking downe the street," he forced his acquaintance on a gentleman "of a generous disposition," who, he says, "brought me to a lodging, and caused my horse to bee put into his own stable. Whilest we wer discourseing over a pint of Spanish, I related as much English to him, as made him lend me tenne shillings (his name was Master John Maxwell), which money I am sure was the first that I handled after I came out of the walls of London: but having rested two houres and refreshed myselve, the Gentleman and I walked to see the City and the Castle, which as my poore unable and unworthy pen can, I will truly describe.

"The Castle on a loftie rocke is so strongly grounded, bounded, and founded, that by force of man it can never be confounded; the foundations and walls are vnpenetrable, the rampiers impregnable, the bulwarkes invincible, no way but one to it is or can be possible to be made passable. In a word, I have seene many straights and fortresses, in Germany, the Netherlands, Spaine, and England, but they must all give place to this unconquered Castle, both for strength and scituation." After giving some account of "a great peece of ordnance of iron" (now familiarly known by its ancient name of *Mons Meg*), he then proceeds:—

"So leaving the Castle, as it is both defensive against any opposition, and magnifick for lodging and receite, I descended lower to the City, wherein I observed the fairest and goodliest streete that ever mine eyes beheld, for I did never see or heare of a street of that length (which is halfe an English mile from the Castle to a faire Porte which they call the Neatherbow), and from that Port, the streete which they call the Kannygate is one quarter of a mile more, down to the King's Palace called Holyrood-House, the buildings on each side of the way being all of squared stone, five, six, and seven stories high, and many by-lanes and closes on each side of the way, wherein are Gentlemen's houses much fairer than the buildings in the High Street, for in the high-street the Marchants and Tradesmen do dwell, but the gentlemens mansions and goodliest houses are obscurely founded in the aforesaid lanes; the walles are eight or tenne foote thick, exceeding strong, not built for a day, a weeke, a moneth, or a yeare; but from Antiquitie to Posteritie, for many Ages. . . .

"I was at his Majesties Palace, a stately and princely seate, wherein I saw a sumptuous Chappell, most richly adorned with all appurtenances belonging to so sacred a place, or so Royall an owner. In the Inner Court, I saw the King's Armes cunningly carved in stone, and fixed over a doore aloft in the wall, the red Lyon being the Crest," &c. The rest of the paragraph is already quoted in vol. ii. p. 403.—(Taylor's Workes, p. 130. London, 1630, folio.)

CARTA JACOBI TERTII
REGIS SCOTORUM,
DE TENEMENTO TERRE CUM ORTO MURATO
IN BURGO DE EDINBURGH, CONCESS.
DAVID DE DALRIMPILL.
XV. OCTOBRIS M.CCCC.LXXI.

CARTA REGIS JACOBI TERTII, etc.

M.CCCC.LXXI.

JACOBUS Dei gracia Rex Scotorum Omnibus probis hominibus tocius terre sue clericis et laicis salutem Noueritis q̄ licet aīſ appreciari fecimus et in manibus n̄ris hereditarie Recepimus tenementum terre cum ptineñ quondam Johannis de Dalrimpill jacens in burgo n̄ro de Edinburgh contigue ex parte oriētali venelle wlgariter dict̄ Forſtarifwynd¹ inter dictam venellam ex parte occidentali ex parte vna et terram Johannis Spot ex parte oriētali ex parte altera vna cum orto murato et domo inibi edificato dicti quōd̄ Joh̄s de Dalrimpill jacē in dicto burgo in vico wlgariter vocato le Kowgate ex parte auſtrali eiufdē vicj / pro nōnullis pecuniarum fūmis per dictum quondam Johannem nobis debitis Et poſt appreciacōem et recepcōnem antedictas ipſ tenementum ortum et domū cum pertinenciis Roberto olim dñō Boide hereditarie contulimus Quodquid tenementum cum orto et domo predictis racōne foriffacture dicti Roberti olim dñj Boide ad manus n̄ras legittime deuenit Et quia dilectus noſter Dauid de Dalrimpill filius et heres dicti quondam Johannis die date p̄ficiū nobis plenarie fatiffecit de om̄ibus fūmis et debitis quas et que dictus quōdam Johannes pater fuus nobis aut progenitori n̄ro debebat vt in l̄ris n̄ris quittance ſibi inde confectis continetur Dedimus et conceſſimus ac tenore p̄ntis carte n̄re damus et concedimus dicto Dauid de Dalrimpill totum et integrum dictum tenementū ante et retro cum ptineñ vna cū dictis orto murato et domo inibi edificato cū ptinenciis in manibus n̄ris vt premittitur racione foriffacture exiſtē Tenend̄ et hñd̄ predict. tenemētū ante et retro cum dictis orto et domo cumptineñ p̄fato

¹ Forrester's Wynd, which disappeared in the course of the modern improvements in Edinburgh, extended from the Lawnmarket to the Cowgate.

Dauid et he'dibus fuis de nobis heredibus et fucefforibus n'ris in libero burgagio ac in feodo et he'ditate imperpetuum prout jacent in longitudine et latitudine in domibus edificiis muris meremiis lignis lapidibus et calce Ac cum omnibus aliis et fingulis cōmoditatibus libertatibus et afiamētis ac juftis pertinenciis quibuscūq; tam non nominatis q̄ nominatis fubtus tra et fupra tram ad dict. tenemētum ortum et domū cum pertineñ fpectañ feu quouifmodo juſte fpectare valeñ in futurum Et adeo libere quiete plenarie integre honorifice bene et in pace in om̄ibus et per om̄ia ficut dictus quōd Johannes aut p'diceffores fui ante dēas appreciacōem et recepōem feu dictus Robertus olim dñs Boide ante dictam foriffacturā prefat. tenementum ortum et domū cum pertineñ de nobis aut p'decefforibz n'ris tenuit feu poſſedit tenuerūt feu poſſederunt ffaciendo annuatim dictus Dauid et he'des fui fūiciū burgale de dēis tenemēto orto et domo cū ptineñ debitum et cōfuetum In cuius rei testimonium pñti carte n're magnum Sigillum n'rm apponi precepimus Testibus Reuerendis in Criſto patribus Andrea Ep̄o Glaſgueñ Thoma ep̄o Abdoñ Wiſſmo Ep̄o Orchadeñ n'ri ſecreti figilli cuf-tode dilectis conſanguineis n'ris Andrea dño Avandale Cancellario n'ro Colino cōite de Ergile dño Lorne magiſtro hoſpicij n'j Dauid comite de Craufurde dño Lindefay Wiſſmo dño Monnypenny Johanne de Culquhone de eodem milite Jacobo Schaw de Saulchy n'rorum computorum Rotulatore Mağris Dauid de Guthre de eod̄ clico n'rorum Rotulorū et Regiſtri Archibaldo de Quhitelaw Archidiacono Laudonie ſecretario n'ro et Johanne Layng Rectore de Suthec n'ro theſaurario Apud Edinburgh decimo quinto die mēſis Octobris Anno dominj Milleſimo quadringenteſimo Septuageſimo primo Et regni n'ri duodecimo .¹

¹ From the original Charter in the Library at New Hailes. The Great Seal, but ſomewhat mutilated, is ſtill attached to the charter. John de Dalrimpill here mentioned in 1471 as deceased, was one of the Bailies of Edinburgh, and a perſon of diſtinction, connected with the Dalrymples of Laucht, and the anceſtors of the Earls of Stair.—(Douglas's Peorage, by Wood, vol. ii. p. 519-520.)

PROCEEDINGS
OF THE COMMISSIONERS OF THE KIRK,
AT A MEETING
HELD AT EDINBURGH
IN JULY MDC.XXVII.

VOL. III.

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PROCEEDINGS OF THE COMMISSIONERS OF THE KIRK, AT
A MEETING HELD AT EDINBURGH IN JULY 1627.¹

17 *Julij* 1627.

THE whilk day conveened in the New or East Kirk of Edinburgh, the right Reverend Fathers in God, Patrick Bishop of Roffe,² Moderator for the present, Andro Bishop of Galloway, Iohn Bishop of Caithnes, and Andro Bishop of Argyle, togidder with findrie Brethren having Commiffion from diverse pairts and Presbyteries of the countrey, whose names follow:—For the Presbyterie of Chirneside, Mr Alexander Kinneir, Mr George Rule: For Erliftoun, Mr Henry Blyth: For Dunfe, Mr Alexander Cais: For Dumbar, Mr Patrick Hamiltoun, Mr John Dalyhell, Mr William Dowglas: For Hadingtoun, Mr James Carmichell, Mr Robert Balcanquall: For Dalkeith, Mr Patrick Turnet, Mr James Robifon: For Edinburgh, the whole Ministrie there, togidder with Mr William Arthour, Mr John Cranftoun, and Mr James Hannay: For Linlithcow, Mr John Tennent, Mr Thomas Spittell: For Stirling, Mr Joseph Lowrie, Mr James Edmondftoun: For Dumfermling, Mr Robert Rough, Mr Robert Colvill: For Kirkaldy, Mr John Michelfone, Mr William Narne: For Couper [blank in MS.] :

¹ From a MS. in the handwriting of Mr Charles Lumisden, Minister of Duddingston, in Wodrow's collection, Advocates Library (4to vol. xx., no. 25). The copy was apparently transmitted to Archbishop Spottiswood, by whom it is indorsed,—“Extract of the Proceedings of Ed^r Meeting, 1627.”

² Patrick Lindesay, Bishop of Ross. In April 1633 he was translated to the Archbishoprick of Glasgow.

For St Androis, Mr William Erskin, Mr Alexander Henryfoun : For Perth, Mr Robert Murray, Mr John Strauchan : For Muthill, Mr John Freebarne : For Dumblane, Mr John Dryisdail : For Dundy, Mr James Jarden : For Megill, Mr William Malcolme, Mr Thomas Lundie : For Aberbrothok, Mr Alexander Inglis, Mr James Guthrie : For Forfar, Dr James Eliot : For Brechin, Mr Richard Melvill, Mr Robert Norry : For the Mernes, Mr James Sibbald, Mr Andro Colles : For Caitnes, Mr Richard Merchintoun, Mr William Abernethy : For Rofs, Mr John M'Kenzie : For Argyle, Mr Neill Campbell, Mr Hugh Camron : For Glasgaw, Mr Robert Scot : For Hammiltoun, Mr James Hammiltoun, Mr David Scharp : For Lanrick, Mr John Cheislle, Mr Robert Ballenden : For Paislay, Mr John Maxwell, Mr Daniel Cunighame : For Irwin, Mr Michael Wallas : For Dumbartane, Mr William Blair, Mr Walter Stewart : For Air, Mr James Bonar, Mr James Cunighame : For Wigtoun, Mr James Adamson, Mr Andro Anderson, and Mr Thomas Lamb : For Kirkcudbright, Mr Gavan Maxwell, Mr Robert Murray : For Dumfriesshire, Mr Frances M'Gill, Mr John Dowglas : For Lochmaben, Mr William Hammiltoun, Mr Walter Whitfurd : For Penpoint, Mr George Kneland : For Middleby, Mr John Alexander : For Kelfo, Mr James Knox : For Jedburgh, Mr William Bennet, Mr William Clerk : For Melros, Mr Patrick Shaw, Mr Thomas Forester, Mr Robert Martene : For Peibles, Mr Thomas Hog, Mr Theodore Hay : For Dunkeld, Mr Alexander Ireland : The Diocess of Aberdene, the Bishop there is to answer for all the Presbyteries within his bounds : And siclike, the Bishop of Morray for all the Presbyteries within his bounds, according to his letter : For the Isles, Mr Patrick Stewart : And last, the Bishop of Argyle promised to answer for all the Brethren within his bounds.

The while day, the said Patrick Bishop of Rofs declared to the Commissioners convened, that my Lord Archbishop of St Androis, being of intention to have kept this Meeting, and being impeded thereof by infirmities of

body, did write to the said Bishop of Ros, desiring him to mak excuse to the Brethren and to supply his place, and to acquaint the Brethren with his mind anent the busines to be intreated at the said Meeting; whilk he did, by causing ane Letter to be red, directed from the said Archbishop for that effect, wherein the said Archbishop advised the Brethren conveyened to condescend upon a publick Humiliation and Fast, for such causes as they should think expedient. And likewise desired them to condescend upon ane Contribution for entertainment of ane resident Commiffioner at Court, to attend his Maiestie for the affaires of the Church, for such space as the necessitie their of should require.

Before any particular treatie was of the tua former points, it was demaunded be findrie of the Brethren, Whidder this Meeting was a Generall Affemby or not? Whereunto it was answered, be the said Moderator, with consent of all the Brethren, That it was no Generall Affemblie, bot one occasionall Meeting for condescending upon the two particulars proponed.

Sicklyke, findrie Grievances being proponed, and Petitions desired to be made unto his Maiestie, partlie concerning the Brethren out of the countrey, and partlie concerning findrie Brethren within the countrey, ather confined or depofed, and others Petitions being proponed for Reformation of findrie particulars: It was answered, be the said Moderator, with consent of the Brethren, That seeing this meeting was only for the foresaid two particulars, this Convention could not meddle with any of the said Greevances and Petitions, bot the famine wer only pertinent to ane Generall Affemby therein to be intreated. And therefore all that had such Grievances to mak were desired to continue the famine till they should have occasion of ane Generall Affemblie; and, in the meane time, such as had any lawfull petition to mak to his Maiestie, that they wold fend the famine subscribed under their hands to the Commiffionaris to be nominat and direct from this present meeting to Court.

Moreover, it was thocht fitting be the Brethren conveyened, that the saids

Commiffionaris fhould humblie intreate his Maieftie, to give licence for convocating of ane Generall Affemblic, at fuch commodious tyme as his Maieftie fhould be pleafed to think convenient.

18 *Julij* 1627.

The whilk day, after reafoning, it was agreed upon be all the Brethren, in one voice, That there fhould be ane publick Humiliation with Fasting, to be upon the fecond Wednefday of Auguft, and the Sabbath following, being the eight and twelt dayes of the faid moneth, and intimation to be made upon the Sabbath day preceeding, being the fift day : And the Brethren of the Miniftrie of Edinburgh, togidder with Dr Theodore Hay and Dr Johne Michelfone, Mr Robert Scot, Mr Patrick Schaw, Mr Henry Blyth, and Mr William Erkin, fhould conveene, and condefcend upon the particular Caufes of the faid Faft.

The whilk day, my Lord of Linlithcow compeiring with fome Commiffionaris for the Parochin of Torphichin, gave in ane Supplication defyring Mr John Levingftoun to be eftablifhed their Minifter, and Mr George Hannay to be refufed ; with the whilk Supplication the Brethren declared they wold not meddle, bot remitted that whole bufines to the Archbifhop of St Andrewes,¹ who hes only entereft therein, and defired the faid Bifhop of Ros, Moderator, to fend the faid Supplication, togidder with his letter, to the faid Archbifhop, declaring that this Convention hes referred that matter to his Lordfhip's difcretion.

19 *Julij* 1627.

The whilk day, the Brethren appointed for condefcending upon the Caufes of the faid Humiliation reported the famine ; whilk being red in prefence of the Affemblic, wer allowed and approven, the tenor whereof follows :—

¹ Livingstone, in his Autobiography, attributes his rejection to the Archbishop's influence, who, he fays, “ stopped all becaufe of my non-conformity ; and that Hannay, who was intruded upon that poor people, had given, as it was reported, 500 merks Scots to get that place.”

In everie Parish of this Kingdome the Pastors shall exhort their people to humble themselves before the Lord in true repentance, with tears and fasting, for these speciall causes,—

1. Because of the great increase of Papistrie, and of all sorts of sinne in all degrees of persons within this land, both against Law and Gospell; which increase, being in the time of so cleare a light, cannot but provoke God's heavie wrath against us, which cannot be averted without true and sincere Repentance.

2. For the distress and cruell persecution of the Reformed kirks in Bohemia, and the adjoining Provinces in Upper and Lower Germanie, and the Palatinate, to intreate God that he wold be appeased towards his people, and pittie them, who are by the enemies signes destinat to death, and whose blood is shed as water in the streetes; that he wold cutt the coards of the wicked, and turn the rage of his enemies to his praise.

3. Because our King's Maiestie is imbarcked in a most necessar and lawfull warre, and hes Armies both by sea and land for the maintenance of the true Religion and his royall Allyance, to pray to the Lord of Hosts that he wold lead these and all other Armies for the defense of the trueth, and powre shame upon his enemies, and fmite them through the thigh, that they be not able to stand against him.

4. Because of the extraordinar raines, which now threaten rotting of the fruits of the ground before they be ripe, and so a fearfull famine upon this land in so dangerous a time, when the seas are closed be the enemies, and no hope of help from other countreyes, if God shall send a famine, to intreat the Lord that He wold cause the Heaven answer the Earth, and the Earth to answer the Corne, and the cornes to answer our necessitie, and us to answer His will, in faith, repentance and obedience.

Sicklyke, this day it was agreed upon, that Commiffionaris shall be nominate and chosen to goe to Court for attending his Maiestie, and dealing

with him for the affaires and well of our Church ; and to that effect wer put in lite, the Bishops of Ros, Aberdene, Dumblane, and Caitnes, of the whilk number Patrick Bishop of Ros was nominate and chosen be the uniforme consent and suffrages of the whole Brethren : And sicklyke, it was thought meete that some of the Brethren of the Ministrie should accompany the said Bishop of Ros ; therefore Mr Robert Scot, Mr Alexander Henrysone, Mr Robert Murray, and Mr James Bonar, being put in lite, the said Mr Robert Scot was nominat and chosen be pluralitie of votes to accompany the said Patrick Bishop of Ros.

The whilk day, the question being demaunded, Whither every brother of the Ministry shall contribute 20 £ . Scottis for every chalder of victuall, and for every hundreth markis of thair yeerlie rents and stipends, and that for satisfiing of the charges of the sax Commiffionaris who have already beene sent to Court,¹ and for their charges also who are presentlie chosen to be sent, or shall be hereafter sent during the residence and attending of his Maiestie for the affaires of the Church ?—

¹ In May 1627, his Majesty having sent a letter, chiding the Bishops “ as men void of charity, and beyond measure timorous without a cause,” the Bishop of Dunblane and John Maxwell, one of the Ministers of Edinburgh, were sent as Commissioners to the King.—(Balfour’s Annals, vol. ii. p. 156.) The Archbishops and Bishops in their letter, referring to the Commission appointed for the valuation and appropriation of Tithes, commence with saying,—“ May it please your Majestie : This Commission, which was intended for an help to the Church, is now much like to prove the utter undoing thereof, for, under a collour of increasing the rent of the Crown, some goe about to robbe Christ of all his patrimony, a thing never intended by your Majesty, and wanting an example in the whole Christian world.” The King, in his answer, dated 18th May, expresses his wonder and displeasure in their making use of such words ; and in a letter to the Commissioners, of the same date, he further explains that his intentions were, that Churches not sufficiently provided might be supplied ; that proprietors of land might purchase their own tithes upon reasonable conditions ; and that the Royal revenues might thereby be augmented.—(Sir William Alexander’s Register of Letters, MS.)

The Brethren convened hes agreed and condescended, all in one voice, That all the Ministers within the Kingdome shall pay 20 £. for every hundredth marks or chalder of victuall whilk they have yeerlie in rent for their stipend, and that for satisfiing the charges of the Commiffionaris who have been alreadie sent to Court, and for furnishing of their charges who are presentlie chofen Commiffionaris to goe and attend at Court, during the tyme of their residence thereat for the Church affaires; and the first yeeres collection to be payed at Michaelmes nixtocome, and to be sent be the Moderator of every Presbyterie to the Presbyterie of Edinburgh at the said time, who shall mak ane act upon the receate theirow, and shall be placed be them in the hands of some responfall man to be answerable therefore. And at the same tyme the Moderators of Louthian, Fife, Angus, Tweddall, Teviotdall, Cliddisdall, Irwin, and Air, are ordeined to conveene at Edinburgh, to be Auditors of the compts and disbursements of these sax Commiffionaris who went up to Court in these three last voyages. And after tryall of the saids compts, the saids Auditors, at least so many as shall be present with the said Presbyterie of Edinburgh, are ordeined to mak advertisement to all the Presbyteries within the Kingdome of the true estate of the saids compts and disbursements; and if any superplus be, the same shall be kepted to be made furthcummand, and to be employed be direction of the Church. And after advertisement being made to the saids Presbyteries be the saids Auditors, they shall with all diligence mak ane second contribution, and send the same to the Presbyterie of Edinburgh in manner foresaid, before the terme of Martenmes nixt, for furnishing of the saids Commiffionaris presentlie chofen, to wit, Patrick Bishop of Ros, and Mr Robert Scot, Minister at Glasgow.

A N A C C O U N T
OF THE FOUNDATION OF
THE LEIGHTONIAN LIBRARY.

BY ROBERT DOUGLAS,
BISHOP OF DUNBLANE.

THERE is no reason to doubt that the following detailed account of the Foundation of the Library at Dunblane, in terms of the bequest of Archbishop Leighton, was prepared by Robert Douglas, his last successor in that See. It forms the introductory portion of a thin volume in folio, and containing a Catalogue of the Books, as at first arranged and placed on the shelves of the Library. For the use of this volume we are indebted to the Rev. James Boe, Minister of Dunkeld, with permission of the other Library Trustees. At the present day, the collection itself would not be reckoned of special value or importance; and the books, from want of sufficient funds, long remained in a very neglected state.¹ So much interest is however associated with every thing connected with the life and writings of that excellent Prelate, the value of whose bequest at the time must not be estimated by the changes that have since occurred, that it was thought desirable to have the following Account printed entire, exhibiting, as it does, on the part of his Sister and Nephew, his executors, and the other persons concerned, so much liberality and anxiety to accomplish the object contemplated by the learned and pious Founder.

ROBERT LEIGHTON, the son of Dr Alexander Leighton, author of "Sion's Plea against the Prelacie,"² was born in the year 1611, and received his edu-

¹ In this respect considerable improvements have recently been effected under the direction of the Trustees; occasional additions to the Library, by purchase or donations, have been made, and a Catalogue has been printed; while the hall in which the books are kept has been rendered accessible to persons in the neighbourhood, with the privilege of borrowing books, upon payment of a small annual subscription.

² Alexander Leighton, M.D. (not D.D. as usually stated), was born in the year 1568 or 1569, and took the degree of A.M. at St Andrews, probably in 1587. He afterwards pursued his studies in the University of Leyden, where he took the degree of Doctor of Physic. This is the clear import of his own words, in his Petition to the High Court of Parliament of England,

cation in the University of Edinburgh, where he took his degree of A.M. in 1631. After some years' residence on the Continent, in December 1641 he was ordained minister of Newbattle, a parish about six miles south from Edinburgh. Twelve years later he was elected Principal of the University of Edinburgh. On the restoration of Episcopacy, he was chosen Bishop of Dunblane, and was consecrated in 1661. A vacancy occurring in the See of Glasgow, by the resignation of Alexander Burnet in December 1669, Leighton was appointed Commendator; but not having been formally translated, for a considerable time, his official connection with Dunblane still subsisted. In September 1674 he resigned his preferment in the Church, and all public employment; and having retired to England, he died at London on the 25th of June 1684. His remains were deposited in the South Chancel of the Church of Horsted Keynes, in the county of Sussex, in which parish he had resided for several years with his Sister and her son Edward Lightmaker of Broadhurst. A plain marble slab bears this inscription:—

DEPOSITUM ROBERTI LEIGHTONI, ARCHIEPISCOPI GLASGUENSIS
APUD SCOTOS, QUI OBIT XXV. DIE JUNII ANNO DNI. 1684,
ÆTATIS SUÆ 74.

It might not be difficult to glean some detached notices regarding Leighton, which have been overlooked by his numerous biographers. It may be stated, for instance, as a proof of his zeal for Presbytery, that there is still preserved a copy of the Solemn League and Covenant,¹ signed by him and his

in November 1640: "Your Petitioner's wearing age, *going now in the seventy two years*:" And, in reference to the barbarous sentence of the Star Chamber, when he considered the "Degrees of the person censured did exempt him from any such punishment, besides inbred generosity, a Master in Arts; I commenced also Doctor: for my capabillity in these Degrees I have the Seales of two Universities, St Andrews and Leyden, with more than ordinary approbation," &c.

¹ It is of course (as usual) one of the printed copies, with blank leaves added, having running printed titles, for the Signatures: "A SOLEMN LEAGUE AND COVENANT for Reformation and Defence of Religion, &c. Edinburgh, printed by Evan Tyler, 1643," 4to. On the fly-leaf is written in Leighton's hand, "Octob. 20. 1643. This book belongeth to The Kirk of New-

Parishioners of Newbattell in October 1643. A facsimile of his signature, along with that of William third Earl of Lothian, and of Sir John Murray of Philiphaugh and Cranstoun Riddell, is here annexed.

Subscribers.



The image shows three handwritten signatures in cursive. The first signature on the left is 'John'. To its right, there are two more signatures: 'R Leighton' and 'J Murray'. The 'J Murray' signature is written below the 'R Leighton' signature.

A portion of the following unpublished letter, with Bishop Leighton's signature at other periods of his life, is also given in facsimile on a separate leaf. This letter, unfortunately, has no date, and the address, no doubt, to "His Grace" the Duke of Lauderdale, has been destroyed.¹ It may however be referred to the year 1673, as it evidently alludes to the failure of his several schemes of Accommodation between the two parties in the Church, but previously to September 1673, when James Ramsay, Dean of Glasgow, was promoted to the vacant See of Dunblane.

MAY IT PLEASE YOUR GRACE,

I can give as yet little further account of our distemper'd Church affairs then formerly, onely I am inform'd that y^e late Act^s relating to our divided Brethren hath divided them more amongst themselves then any battell." Besides the above three signatures, it contains the names of 158 parishioners, chiefly in their own hand; also, on some mutilated leaves, a number of other names of persons who could not write, subscribed "by appoyntment of the Minister and Elders" by William Hamilton, clerk to the Kirk-Session of Newbattell. It is now deposited in the Museum of the Society of Antiquaries of Scotland; having been presented to the Society by Mr Robert Murray, Bookseller, March 13th, 1781.

¹ It formed part of a selection of Lauderdale Papers, publicly sold in London several years ago: it afterwards came into the Editor's possession.

² This refers to what is known as "the Second Indulgence," passed on the 3d September 1672, and the proceedings involved by it, in March following.

thing y^t hath yet befallen them; for though they generally think it girds them too strait into a corner, yet y^e soberer of them incline to bee doing with it till better come, w^{ch} they are still gaping for, and let them doe, for y^t keeps them from despair; but others of them have some scruple concerning it, but what kind of scruple that can bee, I think passeth the skil of any man in his right wits to imagine. However, there is this good in it, that it amuses them, and keeps their heads and tongues busy, which otherwise would possibly not bee so innocently employ'd. And truly I beleev y^t y^e utmost y^t is to bee expected from y^e best Counsels relating to this affair, is y^e preventing of mischief, and keeping things from running to extream confusion; but for Church order and cordiall agreement I confesse I have given over to look for it in these parts for our time; but had this change bin either a litle lower model'd at first, or at least, as it was, a litle more calmly manag'd, it might likely have attained much better reception and settlement long ere this time; but it was unhappily, and I fear irrecoverably lost, at first setting out, by too high and too hot and hasty counsels. And I looke on it at present as a forlorn aftergame, and nothing remains but to make y^e best that may bee of it as it is. For y^e vacancy of Dunblain, I gave yo^r Grace my humble opinion in my last, and am still perswaded of it, as y^e onely choyse I dare advise. For y^e Isles, I have bin enquiring after one that hath y^t language, and find that one Mr Graham,¹ Minister of y^e Isle of Boot, is absolutely y^e fittest, yea y^e onely fitt man of that kind that I can either meet with or hear of. And if your Grace incline to fixe both y^e one and other, either according to this advice or a better from some better hand, it were much to bee wisht it were done as soon as conveniently may bee, after so long vacancy, especially of y^e one. However, I trust yo^r Grace will pardon the freedom presum'd vpon by,

May it please your Grace,

Your Grace's most humble servant,

R. LEIGHTON.

¹ Archibald Graham, Parson of Rothesay in the Isle of Bute, was advanced to the Bishopric of the Isles, but not until 1680, when Andrew Wood was translated to the See of Caithness.

May it please your Grace

I can give as yet little further account of our Distempers Church affairs
then formerly, only I am inform'd that ye late act relating to our
divided brethren hath divided them more among themselves then
any thing hath yet befallen them, for though they generally think
it adds the too many into a round yet ye Governor of them move
to be doing with it till better some way they are still striving for
to let the Lord for ye keeps them from departing; But others of them
have some scruple concerning it, but what kind of scruple that can
be I think passes ye skill of any man in his right wits to imagine.
However there is this good in it that it stamps the & keeps their heads &
tongues busy, with otherwise would possibly not be so much to be con-
sidered. And though I believe ye it may yet to be expected from ye
Council relating to this affair is ye preventing of mischief, & keeping things
from running to extremum confusion, but for Church order and cordial agree-
ment I can assure I have given over to look for it in these purely for our
times. But had this change bin either a little lower modest at first, or at
least as it was, a little more calm by manage, it might likely have
attained much better reception & settlement long ere this time, but
it was with apply & I fear irreversibly lost at that settling out by
too high & too bold & hasty counsels. And I look on it as present
a forlorn after game, & without any remedy but to make ye best that
may be of it as it is for ye Governor of Church I gave ye some

my humble opinion in my case, & am not persuaded of more or less only
 that I dare advise. for ye yers I have bin enquiring after one that
 hath a laynysse, & find that one Mr. Guba minister of ye of
 Book is absolutely y filtered, & can ye only fill man of that kind that
 I can adhere to with or hear of And if ye Guba mine to fyre
 Both ye one & other other according to this advice or a better from
 some better hand I were much to be wylt it were done as soon
 as conveniently may be after so long tarying, especially of ye one
 However if my ye Guba will pardon the freedom presumed upon by
 May I please ye Guba



ye Guba's

most humble servant—
 R. Lychton.

(1) Robertus Lychton (1627)

(2) Robertus Lychton (1631)

(3) Robertus Lychton (1632)

R. Lychton.

Subl. 1710. 8.
 1667.

May it please yr Grace

I can give as yet little further account of our Distempers Church affairs
then formerly, only I am inform'd that ye late act relating to our
divided brethren hath divided them more amongst themselves then
any thing hath yet befallen them, for though they generally think
we are the too private into a corner yet ye Governor of them movine
to be doing with it till better some way they are still going for
& let the Lord for ye keeps them from despair; but others of them
have some scruples concerning it, but what kind of scruple that can
be I think passes ye skill of any man in his right wits to imagine.
Howsoever there is this good in it that it stamps the & keeps their heads &
tongues busy, with other wise would possible not be so much more lively em-
ploy'd. And though I believe if ye it most fit to be expected from ye best
counsel relating to this affair, is ye preventing of mischief, & keeping things
from running to extreme confusion, but for Church order and cordial agree-
ment I confess I have given over to look for it in these parts for some
time. but had this change bin either a little lower modeld at first, or at
least if it was a little more calm by manage, it might likely have
attain'd much better reception & settlement long ere this time, but
it was as misapply & I fear irrecoverably lost at first setting out by
too high & too bold & hasty counsels that I look on as at present of
a forlorn after game, & nothing remaining but to make ye best that
man be offer'd as this for ye recovery of Church & give ye some

my humble opinion in my say, I am the pursuance of what you only
 those I dare advise. for y^e y^ees I have bin engineering after one that
 hath I sayn, & find that one Mr. Swaba minister of y^e y^ele of
 Book is absolutely y^e y^ele, yea y^e only fit man of that kind that
 I can adher meet with or hear of And if y^e Swaba mine to y^e y^e
 Both y^e one & other ether according to his advise or a better from
 some better hand it were much to be wish it were done as soon
 as you conveniently may be after so long tarrying, especially of y^e one
 However if my y^e y^e Swaba will pardon the freedom presumed upon by
 May I please y^e Swaba



y^e Swaba's

most humble servant
 R. Lington

(1) Robertus Lington (1627)

(2) Robtus Lington (1631)

(3) Robtus Lington (1632)

R. Lington

Dunbl. 10th. 8.
 1667.

REGISTER OF THE BIBLIOTHECK WITHIN THE CITIE OF
DUNBLANE, FOUNDED BY THE MOST REVEREND
FATHER IN GOD, DOCTOR ROBERT LEIGHTONE, SOME-
TIME BISHOP OF DUNBLANE, THEREAFTER ARCH-
BISHOP OF GLASGOW.

DOCTOR ROBERT LEIGHTONE, Principall of the Coledge of Edinburgh, was consecrate Bishop of Dunblane in the year of our Lord 1662, and was translated to the Archbishopsrick of Glasgow in Anno 1669, where he continued untill the year 1675.¹

During his government of that See, hee laboured for an accomodation with the Presbyterians of those parts, kept severall meetings with them, and made large proffers and condescensions to them, if possible they might be gained to a peace and unitie with the Church, the healing of her breaches, and cementing of divisions; but all his endeavours proved ineffectually, so that he grew weary of the world and resolved upon a retreat from all publick employments.

To effectuate this designe, he went to Court to resigne his dignitie and place in the hands of his prince King Charles the 2d. All that he could obtaine at that tyme was, that he should returne againe into Scotland, and continue in his station for an other year, after which the King promised to ease him of it, if he should continue in that same resolutione to be free; which promise he obtained under the King's hand, in these terms, as the authentick letter beares:—

[¹ These dates are not quite accurate: see page 230.]

CHARLES R.

It is Our will and pleasure, that the present Archbishop of Glasgow doe continow in that statione for ane whole year, after the date of these presents, and we shall allow libertie to him to retire from theme att the end of that tyme. Given at Our Court att Whitehall the nynth day of August 1673, and of Our reigne the 25 year, by his Majesties command.

(*Sic subscribitur*)

LAUDERDALE.

Vpon this assurance and gracious answer he came doune to his Diocess, and fulfilled the limit tyme of his abode in these pairts, which seemed long to him; and in the year after returned to London, resigned up the Archbishoprick, and so, with the favour of his Prince, took leave of the Court and of the world, and retired to the house of Master Edward Lightmaker of Broadhurst (his nephew, by his sister, Madam Lightmaker), in Suffex; where he lived in ane absolute retirement, in a most devote and contemplative life, for the space of about seven years.

In all this tyme, he met with no interruptione of his solitude, but one, which gave no small allarum to his thoughts. It was by a privat letter from the King, whereof the true coppie followes, and is configned in this house:—

Windsor, 16 July 1679.

MY LORD,

I am resolved to trye what clemencie and gentleness can prevaile upon such in Scotland as will not conforme to the Government of the Church there; for effectuating of which designe, I desyre that ye may goe doune to Scotland with your first conveniencie, and take all possible pains for perfwadeing all you can of both opinions to alfinuch mutuall correspondence and concord as can be, and send me, from tyme to tyme, characters both of men and things. In order to this designe, I shall send a

precept for tuo hundreth pounds sterling upon my Exchequer, till ye resolve how to serve me in a staited employment.

Your loveing freind,

(*Sic subscribitur*)

CHARLES R.

Directed thus :

For the Bishop of Dunblane.

How he gott himself excused from obeying so powerfull a command cannot be knoune, since the matter was manadged secretlie 'twixt the King and him. But this is sure, that he never came doune to Scotland after his leaveing of Glasgou, nor medled any more with worldly affaires, but continued his privat way of life till the end of it.

His large and liberall charities to the poor made every body think that he could have nothing left to bestow that way at his death. Notwithstanding, he mortified three hundred pounds sterling for the founding of tuo Burfaries of Philosophie in the Colledge of Glasgou; as also other three hundreth pounds sterling for maintenance of four old men in St Nicolas Hospittall, att Glasgou, which sounes are in the hands of the Toune of Glasgou, who pay yearlie the intrest thereof to the perones so provyded.

This holy and devote Bishop, as he was eminently blessed of God with many singular and extraordinary accomplishments of pietie, devotion, learning, exemplary holiness, and vertue, to ane heroick degree; yet all those eminencies, valed and adorned with the profoundest humilitie and the most eminent charitie, haveing a most bountifull and liberall soul, still watering the poor and needie; for besydes his daylie charities to the poor, and many things given privatlie to the indigent, he did moreover setle a fford for some pious and publick good work in all the places where he had intrest and charge, not only in Glasgou, where he had his last abode (which is above mentionat), but also in the Coledge of Edinburgh, where he was Principall befor his promotione to the Bishopricks of Dunblane.

In the Coledge of Edinburgh he founded a Burfarie of Philosophie upon the interest of ane hundreth and fiftie pounds sterling, given in by him to the Toune of Edinburgh.

In the year 1673, he mortified to the poor of the parish of Dunblane the foume of ane thowland and twentie-four punds Scots money, dew to him by Robert Bruce of Bordie, Comissair of Dunblane, which he recomended to be perfewed after and imployed for the use of the said poor, be the advyce of Leivtenant Generall Drummond and Johne Grahame, Comissair-clerk, and their aires; whereof, after diligence used, at their sight, be the Kirk-seffione, there was twelve hundredth merks Scots, with some anuell rents thereof [receaved] and imployed upon good securitie for anuell rent, which is yearly distribute to the said poor; the other thrie hundreth and threty-six merks is yet in the hands of the said Robert Bruce.

Last of all, he bequeathed and left his Library to the Cathedrall and Clergie of the Diocess of Dunblane, by his last Will and Testament, as also mortified monyes for building of the Library house, and setleing a yearlie sellarie upon a Bibliothecarius for the better preservatione both of the fabrick and books: which Testament and latterwill, that it may stand upon record in this place, is thought fitt here to be inferted: Whereof the tennor followes:—

THE TESTAMENT AND LATTER WILL OF BISHOP LIGHTONE.

Att Broadhurst, Feb. 17, 1683.

BEING at present (thanks be to God) in my accustomed health of body, and soundness of mynd and memory, I doe wryte this with my oune hand, to signifie, that when the day I so much wished and longed for is come, that shall set me free of this prisone of clay wherein I am lodged, what I leave behind me of money, goods, or chattels, or whatsoever of aney kynd was called myne, I doe devote to charitable uses; pairtlie such as I have recomended, particularly to my sifter Mistres Saphira Lightmaker and her

fone Master Edward Lightmaker of Broadhurst, and the remainder to such other charities as their owne discretione shall think fittest. Only I defyre each of them to accept of a small token of a litle graitfull acknowledgement of their great kyndness, and their trouble they have hade with me for some yeares that I was their guest, the proportionne whereof (to remove their scruple of takeing it) I did expresse name to themselves, while I was with them, befor the wryteing hereof, and likewise after I hade wryte it. But they neid not give aney account of it to aney other, the whole being left to their dispose. Neither I hope will aney other freinds or relationes of myne take it unkyndlie that I bequeath no legacie to any of them, designing, as is said, so intirly to charitie the whole remaines. Only my Books I leave and bequeath to the Cathedrall of Dunblane in Scotland, to remaine there for the vse of the clergie of that Diocefs. I think I neid [add] no more, but that I appoynt my said sifter, Mistrefs Saphira Lightmaker, of Broadhurst, and her sone Master Edward Lightmaker, of Broadhurst, joynt Executors of this my Will, if they be both living at my decease, as I hope they shall; or if that one of them shall be surviveing, that one is to be sole Executor of it. I hope none will rease aney questione or doubt about this upon aney ommission or informality of expresseion in it, being for prevention thereof, as plainly expresseed as it could be conceived necessary by me. And that I declare to be the Last Will and Testament of

(*Sic subscribitur*)

R^c. LEIGHTON.

Signed, sealed, and published, in prefence of
John Pelling and George Warnet.

Haveing thus fetled his worldlie concernes, he continowed in his beloved retirment, waiting daylie for his happie exit, which fell out the next year after making this Latter Will and Testament.

He receaved a letter from Doctor Gilbert Burnet, giveing him account that some of his best freinds were come from Scotland to London who hade

a great desire to see him, after so many yeares absence, and that one of them hath thoughts to wait upon him in his solitudes in the countrey.

He, to prevent this, and upon a tender regard to those Noble persons then at Court, choosed rather to come up himself then to give them the trouble to come downe to the countrey, which accordingly he performed.

Proposals were there renewed to him to come down to Scotland, but he did absolutely stop his ears to all motions of that nature, assuring those Noble persons who treated with him, that his race was near an end, and the tyme of his dissolutione was drawing on.

Accordingly, a few dayes thereafter, he sickned att London, upon the 25 day of Junij 1684, and rendered up his spirit to the Father of Spirits. He kept not his chamber above a week, nor his bed above three dayes. He was attendit during his sickness by Doctor Burnett and Doctor Fall, Principall of the Colledge of Glasgow, who may possibly publish to the world a more full account of his Life and Death, there being in both verie remarkable instances worthie of record, that the memory of the just may be had in remembrance, and that the example of so great and good a man may preach and prove an incitement to vertue and godliness, and a practicall coppie of holy living and dyeing.

His bodie, as the sacred reliques of so divine a soul, was carefully and decently disposed for transporting to Broadhurst in Suffex, to the buriall place of his sister, Madam Lightmaker, with whom he lived for some yeares of his retrait from busines, attended by his nearest freinds. In the Church of which parish he lyes buried, under a monument of marble, at his Sister's expences.

This short and imperfite Account was thought fitt to be given of this most pious, eminent, and reverend Bishop and worthie founder of this Librarie, that Posteritie which is to reap the advantage may be informed to whom it owes so great and pious a charitie.

His Sister, and Nephew Mr Edward Lightmaker, being left executors of his

Will and Testament, were so faithfull in the discharge of it, that in a short tyme after his death they set about the designe of building this fabrick for receptione of the books. In order whereunto the Executors did wryte doune to Robert Bishop of Dunblane, acquainting him with the designe of sending doune the Books, and moneys for building a Library house for receptione of them, and were pleased to put upon him the trust and care of that pious work, which he most cheerfully and readily accepted of, assuring those worthie freinds that there should be nothing wanting in him, but that he would lay furth himself, to his outmost endeavours, to carrie on and accomplish that good work by God's assistance, and that he did hold himself bound in conscience and honour to answer the trust put upon him, that their expectationes might be answered, and this memoriall of the great piety and munificence of that most excellent persone and great soul, the devout Founder, might transmitt to futur tymes a signal instance of his religious design and never-dyeing memory.

That which was necessarie, in the first place, for transacting this affair, was the settling of correspondants 'twixt the Bishop of Dunblane and Mr Lightmaker. He pitched upon a verie worthie gentleman, Master Edward Haberfeld, leiving att Midletemple, London, to be his correspondant at Londone, as also upon Master Foules, merchant factor at Londone, who did transmitt from Londone to Edinburgh, by bills of exchange, such sommes of money for the work as he was ordered by Mr Lightmaker. Vpon the other pairt, the Bishop of Dunblane did pitch upon Sir Hugh Paterfone of Bannockburne, and Johne Grahame, Comissare Clerk of Dunblane, both residing att Edinburgh, to be correspondents for him att Edinburgh, and to receave there whatsoever letters, bills of money, or books, should be sent doune from the saids executors, or those intrusted by them, that these might be transmitted to Dunblane.

That worthie gentleman, Sir Hugh Paterfone of Bannockburne, was a speciall trusty of the Reverend Archbishop Leightone, on whom he devolved all the manageing of his secular affaires while he was in Scotland. To him

did Master Lightmaker wryte, particularly that he would be pleased to interress himself in the work, and give his best assistance and advyce, that the whole burdein might not lye upon the Bishop alone; which he willingly undertook, and very carefullie performed, with whom also concurred the fornamed Johne Grahame, a gentleman who was also a great trustie and freind of Bishop Leightone's; and both these gentlemen did with great care and zeal assist and promote the good work.

As the memory of that most eminent, devout, and incompareable good persone, the Founder of this House, is amiable and venerable amongst all that knew him, or heard of him, and this so great a gift is, and I hope shall be, a dureable monument of his munificent charitie, and most religious designe, for advanceing of godlieness and learning in the Church of Christ, and fitting the Clergie to be able Ministers of the Gospell, so it is very just that the great love, fidelity, and activetie of these worthie persones, Madam Lightmaker, sister to the said Bishop, and her sone, Master Edward Lightmaker, his nephew, both Executors of his will, should stand recorded here; as also, such sommes of money as were sent by them for building the house, and settling a stock for a yearlie fallery to the Keeper of the house and Books; and that both they and others may be satisfied and cleared that the Bishop of Dunblane, and others intrusted, did with all candor and fidelitie employ the samen to the propper use in bringing this house to that compleatness wherein it now stands, and long be it so preserved.

That which can give best informatione in this affair, are those Letters which passed 'tuixt the Bishop and the Executors, and the correspondents intrusted, which are heir faithfullie transcryved, such of them att least as are requisite to the purpose, and sett doune in their proper places.

After the decease of Bishop Lightone, his nephew and executor Mr Edward Lightmaker, did wryte to the said Robert Bishop of Dunblane, acquainting him heirwith, as also that his reverend vncle the Archbishop hade, by his Testament and laterwill, bequeathed his Library to the Cathedral of Dunblane and Diocess thereof, and that his Vncle defyred him that,

after his decease, he should wryte to the Bishop of Dunblane and acquaint him herewith. And further, that he was ordered to fend doune ane hundredreth pounds sterling for building a chamber to accomdatt the books, and prescryves how it shall be built and furnished, and that he did devolve this care upon the Bishop of Dunblane; the authentick letter being in the Bishop's custody, the exact double is as follows:—

July 8th, —(84).

MY LORD,

It hath pleased God to take of late to himself the soul of that excellent persone DOCTOR LEIGHTONE, your singular good freind, and at length to answer the many yeares earnest longings of that holy man after his eternall happieness. I was one that hade the honour to be relaited to him, being his Sister sone, and joynt Executor with my Mother of his will; to whose care he hath recomended the transport of his Books; in order whereunto he did desire me that (in case I or my Mother should survive him) one of us would, soone after his decease, wryte to your Lordship to acquaint yow that he hath ordered his Books to be sent to the Church of Dunblane, to remain there for the vse of the ministers and students of that Diocess (haveing bequeathed them to them be his Will), and therefor to desire your Lordship to bespeak some masters of a ship that is comeing from thence to call for them att Londone, at such a place and in such a hand as we should think fitt to intrust them with, haveing first packed them up in chists and trunks that are neidfull to containe them. But the doeing of these things being a busienes that will requyre some litle tyme for the dispatch of it, I thought it but fitt, in the mean tyme, by a lyne, to assure your Lordship that nothing shall be ommitted that may be necessary for the expeding of this mater. There was one thing more, was the desyre of this worthy man (to witt) that I should transmitt to your Lordship ane hundredreth pounds for the accomodateing a chamber somewhere neir the Church for his books; and what shall not be laid out on that, to be added to the money he formerly left as a stock for some yearlie supplie to the poor of the parish of Dunblane; and that he supposed a roome might be built for this use out of some of the stones of the ruinous walls that are without the Church or of the Bishop's ruined house, and desired that the roome might be built of convenient largenes and good lights, and handsomely furnished with presses and shelves, and some desks for readeing at them, and chaires or stooles to sitt on. But it will be too much to devolve the cair of this bussienes wholly on your Lordship, and therefor doe intend, by a lyne, to desyre Sir Hugh Patersone (who hath formerlie agented bussienes for this good man) to be assistant in this lykewayes. As for the transmissione of the hundredreth pounds

befor mentioned, I shall be in some solicitude how to doe it, unles your Lordship cane informe me of some fitt persone there with whom to correspond, which, if you please to doe, and to receave the same of him there, then I shall cause the same to be repayed to that merchants factor att London, with satisfactiōe for the exchange thereof. Or perhaps the merchant there will rather desire I should pay it heir first. I know not the method of it as yet, but shall waitt for your direction. I am

Your Lordship's most humble and most obedient servant,

(*Sic subscribitur*)

EDW. LIGHTMAKER.

Directed thus :

To my Lord Bishop of Dunblane.

This worthie young gentleman, Maſter Lightmaker, did by this letter evidence his profound respects to the memorie of his deceased Vncle, and his reddeſſes to execute his will, which accordinglie he exactly performed. He wrote also to Sir Hugh Paterſone to concurr with and aſſiſt the Biſhop about that work, which he accordinglie did, and came out to Dunblane and confulted with the Biſhop about the building of the houſe, and gave his beſt advyce thereanent. But by reaſone he was oblidge to attend a publick office chamber att Edinburgh, he could not have lazure to attend this affair. The Biſhop communicatt with him what advyces he hade from the executors, or their factors, recommending to him (as being acquainted with ſuch buſienes) to think upon the beſt expedient of getting doune that hundredreth pounds ſterling, which the executors were to anfuer by bill from London, that fo the work might be begune, and that he would be carefull to beſpeake ſome ſhipmaſter for transporting of the books, how ſoone he ſhould be informed that they were come to London, and in reddienefs to be delyvered ; all which this worthy gentleman was pleaſed to look after, and performed accordingly. And the Biſhop by letter did acquaint the executors to addreſs to the ſaid Sir Hugh what letters, bills, or aney thing els they were to acquaint him with, or tranſmit to him.

Amongſt the many other good providences which concurred to the furtherance of this good work, a verie ſpeciall one was the great and opportune

affistance afforded by William late Lord Viscount of Strathalan, then Leivtenant-Generall and Commander-in-Chief of all his Majesties forces in the Kingdome of Scotland. This noble Lord, as out of a generous propensity to advance all good works, so also haveing a peculiar and profound respect and veneratione to that most excellent Bishop his dear friend and intimatt, did concerne himself most feriouſlie and effectually to bring the work to its full perfectione: the fabrick of the house, its furnitur, and every thing as it stands now in verie good order, was by his contrivance, and albeit he was much taken up with his publick employments both militarie and consiliary, yet he would take some starts to come to his owne lodgeings att Dunblane, that he might notice how that work went on, giveing orders from his owne mouth to the workmen, that everie thing might be done aright; and not only so, but moreover gave command that not only his tenents and their horses, but also his servants and horses, should be readie upon a call for cariages of stone and timber, sclaitt and lyme, to the house, all which he caused be done gratis, by which a verie considerable expence was saved.

This noble Lord was further pleased to look after the aggrieing with the workmen, that it might be so easie and reasonable as was possible; as also, he was pleased to appoynt his Chamberland, James Robertſone in Park of Keir, to be master of work, and tymouſlie to provyde all materialls and necessaries, so that he went beyond anything that the Bishop could in good manners have presumed to demand of his Lordship. The Bishop did verie cordially appoynt the said James Robertſone master of work, to receave, by his order, from the said Sir Hugh Paterſone of Bannockburne and John Grahame, all such sommes of money as should be sent doune to them from the executors and their factors; which was accordingly done by him, all the moneys he receaved, and, be the Bishop's knowledge and order, did verie faithfully and frugaly expend them upon the work and workmen, being a persone sufficiently to be trusted. The Bishop found it verie incumbent to him to notifie to the freinds and executors of Bishop Lightone the great kyndness and generositie of the said noble Lord, which accordingly he did

by letter, and they on their part did returne their most humble and hearty acknowledgments of so great a favour in the warmest expressions of deuti-
full gratitude.

So much and more is due to the memory of that great man, who deservedly stands in the records of this House as one of its greatest promoters; a person who was every way great and eminently accomplished, as a soldier, a statesman, a scholar, and a good patriot; and who at his death did witness his piety and charity in mortifying a very considerable summe of Four thousand merks to be a stock for a yearlie interest, to be bestowed on the poor of the parish of Dunblane, and for this end is secured in the hands of the Towne of Stirling, the annual rent thereof yearly lifted and bestowed accordingly. The present Lord Viscount of Strathalan, as the worthy son of so noble a father, hath not been wanting to give some proofs of his goodness and care for the weale and preservation of this House.

But to returne to our purpose, we have one remark to pass upon this first letter of Mr Lightmaker's wherein he says, that it was the desire of that worthy man to transmit a hundred pounds for accomodating a chamber near the Church for his books, and what should not be layed out that way should be added to the money he formerly left as a stock for some yearly supply to the poor of the parish of Dunblane, &c. It may seem strange that one of so liberal a heart and hand as this good man had, should designe so small a piece of money, as is a hundred pounds sterling, for rearing up such a fabrick, yea, and some of that (if possible) to be spared and given to the poor.

This may probably seem to be imputed to his want of knowledge in secular things, and in the expense of building; but certainly this is not all. But it is imputable rather to his profound humility and great charity; for as in all his lifetime it was his air and study to obscure and conceal himself, and that which was great and good in him; and therefore hee was desirous that even after his death any thing that was to be a memoriall

of him should have as litle pomp and splendor as could be. He would not so much as name it a House or a Bibliothek; but only recommends that there might be a chamber accomodat for his books, &c. Yea, and this chamber too, not so much in his mynd as the poor were; so that if aney thing could be spared of this moyetie, let the poor have it, though the chamber should be scrimpted. Who knew the genius of this good man, may easily know this to be the genuine gloffe.

But this generous gentleman, Mr Lightmaker, wrote in his first letter what his reverend Vncle had appoynted him to say, yet hade he in his mynd a designe to rear up this House to that staitlyness wherein it now stands, and be fuitable to that rich donatione of excellent Books contained in it.

That this was the designe both of Madam Lightmaker and her sone Mr Edward, was signified in the next letter the Bishop receaved, wryten at their directione by Mr Haberfeild, their correspondent att London, who signified that he had payed in that hundreth pounds sterling to their factor att London, Mr Fowles, who was to answer it by bill att Edinburgh, that so the work might be begune with all possible diligence; and by his letter he shewes, what roomes and proportiones they defyred the House to be off, and that it might be wanscotted, and that they did not stint themselves to that hundreth pounds, bot were willing to advance what more was necessarie. The true double of Mr Haberfeild's letter is here sett doune as followes:—

Middle Temple, London, October the 25th, 1684.

MY LORD,

I am desyred by Madam Lightmaker, and Mr Edward Lightmaker, her sone (who are remot from London), for the speedier carryeing on of affairs towching the erectione of a building for the receptione of the late Reverend Doctor Leightones books, given for the use of the Clergy of your Lordship's diocess, to correspond with Mr Patersone [Sir Hugh Patersone of Bannockburne], and also to give you the trouble of this letter in answer to one from your Lordship in July last directed to Mr Lightmaker, which was not sooner answered

pairtly expecting a letter from Mr Patersone (intimat in that) about this affair, and pairtly by Mr Lightmaker's indisposition of body and his distance from London. He hes a very deep sense of the obligatiōne in so freely offering your assistance about the said building, for which he returnes your Lordship his most humble thanks. I have be their directione payed in a hundreth pounds into Mr James Fowles, merchand-factor of Londone, who will pay it att Edinburgh unto Mr Hugh Patersone in Nov^r nixt, in order to the carryeing on the said building. And in regaird a Catalogue cannot be yet perfyted and sent (as your Lordship did advyse), they have in the mean tyme sent unto Mr Patersone a note of the number of the books, by which some judgement may be given of the dimensiones of the place. It is Mr Lightmaker's desyre that the roome be made somewhat larger than what will be necessary to contein these books; for that the worthy example of the deceased may perhaps incourage some others in the lyke kind. They propose to have tuo roomes each to contein sixtein foott square, besydes chimneys in each roome; one to be for the library, and the other for a persone that is to be keeper of it. The library to be wanscotted, and every way convenient for the purpose intendit. They doe not stint themselves to this Hundreth pounds, but if it cost something more they are willing to be att the charge of it. They cannot send the books before the Spring, for Sussex, where the books now are, the wayes thereof are already deep, that there is no removeing of them without great danger, besydes the hazard of the sea this Winter seasonē. It is advysed, by their councell, that it will be expedient for your Lordship and the Dean and Chapter of Dunblane, by your common seales, to authorize some persones heir in England to receave the books from the Executors, and to give a recept for them. For which purpose I have prepared a draught of ane instrument, and have sent it to Mr Patersone, which they desyre may pass your common seale. The Executors intend to defray the charge of the books to Scotland. Now, I beseech your Lordship to pardone this trouble, and give me leave to subscrivve, my Lord,

Your most humble and oblidge servant

(*Sic subscribitur*)

EDW. HABERFIELD.

Directed thus :

To the Right Reverend the
Lord Bishop of Dunblane.

This letter of Mr Haberfield's was moft acceptable to the Bifhop of Dunblane, in regard they hade fo generously and of their ounē accord refolved to have a fuitable figure and proportionē in this houle anfwerable to the other great largenefs bequeathed upon it; and heirupon, by the

advyce of good freinds, designed to have that house such as might answer their expectatione, and be approved of all that should see it. But with all, to use all possible cautione and frugality in the expence, that those generous freinds might not be unnecessarily burdened.

The hundreth pounds sterling which Mr Haberfeild hade, in the name of the Executors, payed in to Mr Fowles, merchant factor of London, was accordingly sent downe by him to Edinburgh by bill, and was there received by the said Sir Hugh Paterfone, which he, upon the Bishop's order, did deliver to the forsaide James Robertfone, master of work, who received and disbursed all the moneys that were expended upon the work.

Sir Hugh Paterfone of Bannockburne, according to the desire of Mr Haberfield his letter, sent forth his instruments to be subscribed by the Bishop and Dean, and sealed by the common seall of the Chapter. The one being a grant of the receipt and discharge of the forsaide Hundreth pounds, and the other a power and warrant to the forsaide Mr Fowles to receive the Bishop's books when they should be sent up to London by the Executors. Both which papers were accordingly signed and sealed by the Bishop, and returned to Mr Haberfield, and by him transmitted to Mr Lightmaker, as he testifies in one of his letters afterwards, here recorded.

The Winter approaching, no more could be done till the next Spring, at which tyme necessary materials were provided, workmen conducted, and the work was begun so soone as could be, but was much retarded throw the unquietness of the countrey. At convenient tymes the Bishop did give notice of to the freinds how the work went on, and when it was near a close, did write to Mr Lightmaker, and shewed him how far it was advanced, and hoped shortly to give a good account of it, fearing lest it might create some trouble to those good freinds that things were not sooner done, and they so passionately desirous to have the pious designe of that most excellent man accomplished. Neither was the Bishop a little concerned lest he should be thought too remiss in that which he was so desirous to performe, yet still doing what he could.

The Bifhop's letter and account of the Houfe coming to the hands of the executors, Mr Lightmaker was pleafed to returne him his thanks. But with all (that which was more pleafing), he fignified that he defigned Two hundreth pounds fterling to be ftocked for a yearlie intrest to the maintenance of a Keeper of the Library. As alfo, that he would make up what was fuperexpended upon the houfe above the hundreth pounds already beftowed ; which letter was fitt here to be inferted, as followes :—

May 24, 1687.

MY LORD,

I receaved your letter, and humblie thank yow for it, and for the extraordinary care ye have expreffed about my Vncle's Library. I am glad to heir that the fabrick is fo neir a close, and fhall be verie readie to doe all that is requifeit to be done on my pairt to the completing of it, either as to the furplusage of the charge, or allowance for a Keeper (to whom I have defigned two hundreth pounds to be layed out upon something for a ftanding fallary). The money fhall be readie to be payed to your Lordship's firft appoyntment, only I fhall defyre that the difcharge for it may be, according to the former, under your common feall. My Lord, there is a litle bundle of Manuscripts of my Vncle's oune wretting, which I found in his ftudie when I fent the books, but becaufe they were his oune wretting, I was doubtfull whither it was convenient or no to fent them ; but fince I confider it was his defyre that I fhould fent all that was in his ftudie, I purpofe to fent them by the fame hand that your Lordship fhall direct to receive the money. I hope your Lordship will pardone my not writeing long befor this, haveing bein, and continowing to be, under fuch great indispositiones of body as unfitts me wholly for buffines.

Your Lordship's moft humble and oblidgeed fervant,

(*Sic fubfcribitur*)

EDW. LIGHTMAKER.

Directed thus :

To my Lord Bifhop of Dunblane.

The forfaid fomme of two hundreth pounds fterling, defigned for the ftock of a fallery to the Keeper, was accordingly fent doune to Scotland in January next thereafter, and there receaved be the forfaid John Grahame, commiffair-clerk of Dunblane, in whole hands it was kept until the Bifhop fhould find out fome good feccurity for it, which afterwards he did, and

settled in the hands of the Magistrates of the town of Stirling. As also came down by sea the Bishop's books, very carefully packt up in the trunks and chests, corded and sealed, which were received at Leith by Bannockburne and John Grahame, and there secured until the Bishop should have fitt opportunity to transport them to Dunblane; which was done with the first convenience, whither they were all brought safely, and stowed in a room of my Lord Strathallane's lodgings there, until the presses and shelves were fitted to receive them. John Grahame did also send out to the Bishop a little box containing some of the Bishop's Manuscripts, mentioned in Mr Lightmaker's letter, and are now in this house under the custody of the Keeper. These Manuscripts were a collection of such select sentences as the Bishop was pleased to note in his readings, seemingly designed only for his own use, promiscuously set down, some in Greek, some in Latine, and some few in French. Some of them bound in octavoes, others stitched or in loose papers, all which are carefully to be kept, and may be useful to such as can read the hand.

The forsaide moneys, by Mr Lightmaker's order, were sent down from Mr Haberfield by bill from Mr Fowles factor, together with a letter to the Bishop as follows:—

Midletemple, London, Jan. 13th, 1687–8.

MY LORD,

It is now two moneths since that I received a letter from your Lordship with one inclosed to Mr Lightmaker, which I dispatched to him, and I think your Lordship hath had ane from him in answer. I had some tyme since order from Mr Lightmaker to transmitt the somme of two hundred pounds unto you, the which I have done by the inclosed bill of exchange from Mr Fowles, and hope it will be payed your Lordship to content when received. I humbly beg your Lordship to signifie the same to Mrs Lightmaker and her Sone, who no doubt have communicat to you what use it is designed for, which is humbly recommended to your care, whose great vigilancy and prudent conduct in the management of the fabrick of the Bibliothek encourageth them to presume to give your Lordship the trouble of settling a stipend on a Library-keeper, which will greatly add to your former favours. I shall not

further trouble your Lordship at present, only let me still obtaine the honour of your Lordship's favour, and permitt me to subscribe,

Your Lordship's most humble and most faithfull servant,

(*Sic subscribitur,*)

EDW. HABERFIELD.

The fabrick being compleated as to all that was incumbent for the workmen to doe, the Bishop of Dunblane, who was intrusted be the executors with the whole care and charge of that house, and the sounes of money deburft thereupon, found it most iust, both for his oun exoneratione and the satisfiacione of these worthie freinds, to give them the satisfiacione of a cleir account how their moneys hade bein expended, and what was the superpluſ above the hundreth pounds alreadie receaved, and for this end did call together the forsaide James Robertſone, master of work, with the workmen that were employed. Their accounts were viſited, and the said James found to have bein ſo faithfull and exact, that he hade noted up evrey individuall particular thing that hade bein neceſſary for the house, together with the pryces thereof; which being cairfullie fumed, the totall was found to amount to ane hundreth fixtie tuo pounds tuo ſhillings and fix pence ſtarling money. The buyeing of a peice of ground for the inlargement of the foundatione of this Houſe, the payment of maſſones, wrightes, ſclaitters, carpentares, and all other tradefmen, ſmithes, glaſiers, &c.; the furniſhing of the houſe with a deazone of turkie leather chairs, thrie wanſcott deſks for reading, iron chimneys, &c., all being cleired off be the fiſt ſoume, ſo much did the expence of the houſe amount to, and yet evrey thing att the loweſt rate could be hade, and truelie it would have ſwelled to a greater ſoume, hade not my noble Lord Strathalan cauſed furniſh all the carriages gratis.

The Biſhop cauſed draw *in mundo* ane exact double of the whole particulares, and ſent it up to the Executors, whereby it was found that, over and above the hundreth pounds ſterling which came fiſt doune, the ſurpluſage amounted to fixtie tuo pounds tuo ſhillings and fixpence ſterling.

This account was sent up to Mr Lightmaker, with a letter from the Bishop, which he did kindly receive, and with all readiness gave orders to Mr Fowles to pay the said fixtie two pounds two shilling sixpence for ballanceing of the account; as also, he sent downe a verie rich marble stone, of oval figure, well cutt, having on it Bishop Lightones arms, with this inscriptione, BIBLIOTHECA LEIGHTONIANA, and a gilded mitre on the top of it, which is sett upon the frontispiece of this house towards the streetts, according as my Lord Strathalane had advysed, and this did Mr Lightmaker signifie to the Bishop by his next letter; which is as followes:—

September 12. [1687.]

MY LORD,

I have received your letter with an account of the expence of the Bibliothek, and I am verie glad to heire that the work is perfected, and to see such large expressions of respect and honour manifested by your Lordship and other worthy persones to the memorie of your dead friend, which will not miss of its great reward from the hands of Almighty God. My Lord, I have sent the Manuscripts which I mentioned in my last letter, with which you will receive the stone which my Lord Strathalan sent for, and I hope it is done according to his Lordship's orders; all the charges of it to Scotland heire discharged before it went. As for the money, your Lordship's last order to Mr Fowles for receiving of the books, and the Hundreth pounds, doeth sufficiently authorise him to receive any further soume upon that account, so I have wryten to Mr Haberfeild to pay to the said Mr Fowles, or any other whom your Lordship shall appoynt, the Sixtie two pounds two shillings six pence, being the ballance of the account; and ten pounds more, which I desire your Lordship may be given amongst those of my Lord Strathalan's servants that were employed in the work. I shall now desire your further orders to Mr Fowles for receiving the two hundreth pounds designed for a Keeper, the choyse of which I refer to your Lordship's judgement, to putt in such a persone as ye shall think fitt, and I shall beg your advise and assistance in the securing of it to the designed end of it. My Lord, when I sent the keys of the chests and trunks, I sent a catalogue of the books that were in them, wryten with my Vncles owne hand, except a leaf or two att the latter end of it, containing an account of some books bought a litle before his death; I would gladly know, when your Lordship wrytes again, if it came safe to your hands, and the more because my reverend Vncle did particularly injoyne me to send it. I have not as yet received any thing from Doctor Fall concerning that you were pleased to recommend

unto him, but am in daylie expectatione of it. I humbly thank your Lordship for the trouble I gave yow in it, and for all your other kyndnesses, and wil earnestly beg the continowance of your prayers. Resting

Your Lordship's most humble and oblidged servant,

(Sic subscribitur)

EDW. LIGHTMAKER.

Befydes the tuo hundreth pounds sterling sent doune to found a falerey for the Keeper (as is above related), there was sent also the forsaide fixtie tuo pounds tuo shillings sterling and sixpence, which was also receaved be the saide Johne Grahame, and by the Bishop's order delyvered to the saide James Robertstone, master of the work, for defrayeing the full charge; as also, was delyvered to him the forsaide ten pounds sterling which that bountifull gentlemen by his letter hade appoynted as a gratuitie to be bestowed on those who hade attended the work, so that nothing requiset was left undone by those worthy executors that was futeable to that great man, their dear relatione, and to their oune honour and perpetuall commendatione.

The Bishop of Dunblane did also receive the Catalogue of the Books, contained in eighteen pages, whereof sixteen pages are written by Bishop Lightones oune hand, and tuo pages by the hand of Mr Edward Lightmaker, of such books as were bought a little befor the Bishops death, and hade not bein by him sett doune, the which Catalogue is in this House seriously recommendit to the speciall care of the Keeper; and according to Mr Lightmaker's defyre, be his letter, the Bishop of Dunblane did certifie him that he hade receaved the forsaide Catalogue.

The Executors, who best knew the will and designe of the mortifier, did likewayes devolve upon the Bishop of Dunblane the power and trust of nominating and choysing a fitt and weill qualified persone to be intrusted with the keeping of the books and library, which priviledge committed to him is from tyme to tyme to descend upon his succeffors in office, who are to be supposd the most proper perones for this trust, and who of aney most hold themselves oblidged in conscience and honour to look after the preservatione of this great work, so weill designed by that most pious and

excellent good Bishop, in order to the promoting of pietie and learning amongst the Clergie, and edificatione to the Church.

For the better establishing of a right and rationall method afterwards to be observed in the choyse of a Bibliothecarius, the Bishop, after full and mature deliberatione, and with the best advyce and consultatione he could have, together with the consent and approbatione of such as were called to a meeting in this House for the better ordering of this and other things relateing to the good of the House, it was determined that the Keeper should alwayes be a Student of Divinitie, designeing for the holy Ministry, a young man that were pious and sober, trusty, and of good behaviour. And that such a persone being chosen, approven, and admitted, might in the said office (he behaveing himself accordingly) be continowed for the space of thrie yeares, butt at most not above four yeares, to the end other hopefull young men intending for the Ministrie might have the lyke advantage and benefeit of these books; that so, from tyme to tyme, some pious and able young men might goe from this House better qualified for the holy Ministry, thorow the blessing of God upon their studdies. And it is to be presumed that such young men as shall be of this charge, if they make diligent use of this fair opportunity, and competent tyme of improveing themselves, they may not only arrive at a more eminent stock of learning then others their fellowes, who have not such a fair advantage of tyme and bookes, but will also putt themselves in a good reputatione, and in a fair way of being preferred to such stationes in the Church as they are capable off.

Be the Bishop's appoyntment ane instrument was draune be the said John Grahame, Comissarie Clerk of Dunblane, narating all the sounes of money sent doune be the Executors, or their factors in their names, in order to the building of the house, or establishing a stock for a fallery to the Keeper, viz., for building of the house, ane hundreth fixtie tuo pounds tuo shillings and fixpence sterling (as also ten pounds sterling, as a gratuity given to my Lord Strathalan's servants, who attendit the work), and tuo

hundreth pounds sterling, to be a stock for a fallery to a keeper, amounting in whole to thrie hundreth seventie tuo punds tuo shilling fixpence sterling; off all which founes the Bishop, be that instrumēt, granted the receipt, and discharged the said executors, Madam Lightmaker and Mr Edward Lightmaker of Broadhurst, and their factors of the samen, for ever, the which instrument was signed be the Bishop, and sealed be the common seall, in due forme, and sent up to England, to the Executors accordingly.

The Executors were anxious to have that tuo hundreth pounds sterling designed as a stock for a salary to the Bibliothecarius weeie secured, and therefor did appoynt their correspondent at London to wryte doune to the Bishop, and seriously to recommend to him to be cairfull of haveing these moneys weeie secured. The which letter is punctually sett doune here as followes :—

MY LORD,

The great indispositione Mr Lightmaker hath bein under (who, blessed be God, is recovered), hath bein the reasone your Lordship had no answer to your last most obledgeing letter; but I am now requested by him both to lett your Lordship know that they received it, and doe take it as a signal favour that your Lordship hath taken so much trouble in that bussienes of the Library, and hope that you will continow the same, the rather for that they have heard of the death of that honourable persone my Lord Strathalan¹ (to whom they were also infinitely oblidged), they have now non to confide in but your Lordship and the Reverend Doctor Fall; and therefor it will be a great additione to your former kyndnesses to signifie by a lyne whither you and his Lordship, before his death, caused the tuo hundreth pounds sterling to be layed out in aney purchase or otherwayes; if not, whither your Lordship can find out ane expedient way it may be done for the good designe it is intended, wherein they only rely now on your Lordship and the Doctor. It is their humble request your Lordship

[¹ The Hon. William Drummond, youngest son of John 2d Lord Maderty, was created Viscount of Strathallan, 6th Sept. 1686. He was General of the Forces in Scotland, and died in January 1688. His "Genealogy of the House of Drummond," written in 1681, was printed for the first time, in a limited impression, Edinburgh, 1831, 4to.]

will signifie by some instrument that there is tuo hundreth pounds sterling transmitted for these purposes, that they may be able to satisfie the world how they have disposed of their testators estate according to his charitable intentiones. It will be very pleasing newes to them to hear that the books are placed in the library, in doing whereof Doctor Fall promised his assistance. I beg pardon for this trouble, and crave leave to subscriue myself, my Lord,

Your Lordships most humble and most obedient servant,

(*Sic subscribitur*)

EDW. HABERFIELD.

July 25th, 1688.

Ane instrument for granting a receipt of those tuo hundreth pounds sterling, designed for a falery to the Keeper, and a discharge thereof, as also of all the other sounes of money receaved and expended upon the building of the house, was drawne, signed, and sealed accordingly, and sent up to the executors, as is above mentioned.

As for the fetling of those tuo hundreth pounds for the behoove of a keeper, the Bishop's cair about that hade prevented Mr Haberfield's letter, for having ferioufly considered and consulted with friends how the forsaide moneys might be best secured, it was judged most expedient and safe to fettle it in the hands of the Magistrates and Toune Counsellors of the Royall Burgh of Stirling, the administrators of the common goods of the said city, &c.

In order to the fetling of this affair, the Bishop of Dunblane went to the city of Stirling, and haveing obtained a meeting with Provost Kennedy (then present Provost of Stirling), together with the Bealyies, the Dean of Gild, and others of the Common Counsell of the said burgh, did commune with them upon the head, and obtained that they should receave and secure the forsaide tuo hundreth pounds sterling money, and yearlie pay the interest thereof to a Keeper of the Bibliothek, who should be nominat and authorized be the Bishop for that effect, and gave orders to their present Toune Theasurer, David Moir, in their name and be their authoritie, to receave the forsaide sounes of 200 lb sterling money.

The Bifhop accordingly gave orders to James Robertfone, mafter of work, to delyver the faid foume of tuo hundreth pounds fterling to the faid David Moir, common Thefaurer of the toune of Stirling, authorized and warranted by the faid Magiftrates, and in their name to receave the forfaid foume, and to take of him his note of receipt, and band for makeing the famen furthcoming, all which was accordingly done; and it was thought fitt that this note and band fhould be heir infert *ad futuram rei memoriam*, the principal note and band remaining ftill in the hands of the faid James Robertfone, the true double and tranfcript whereof is here fet doune as follows:—

I DAVID MOIR, present toune thefaurer of the burgh of Stirling, grants me, for the use of the said burgh, to have receaved from James Robertfone, att Park of Keir, in name of the right reverend Robert Bishop of Dunblane, the soume of tuo hundreth pounds sterling money, which was mortified by the right reverend father in God Robert sometyme Bishop of Dunblane, and thereafter Archbishop of Glasgow, as a stock or fund for the use and behoove of the keeper of the library founded by him within the city of Dunblane. And I obledge me to procure and delyver to the said James Robertfone a fufficient security from the present Magiftrats and Toune Councell of Stirling burgh ffor the said soume, and anualrents thereof in tyme comeing, which security is to be granted and conceaved in the favours of the said present Bishop and of the Dean and Chapter of the Cathedrall Kirk of Dunblane, and their fuccessors in office, who, with consent of the Viscount of Strathalane, his ayres and fuccessors, shall have pouer, incase the said soume shall be uplifted from the said toune, to dispose of the said soume upon fufficient new security to be given unto them for the use and behoove of the said keeper and his fuccessors in office, who is from tyme to tyme to be nominat by the said Bishop of Dunblane and his fuccessors in office; the said keeper's difcharge, with consent of the Bishop for the tyme, being alwayes a fufficient exoneratione to the said toune of Stirling for the anualrent of the said soume dureing his incumbencie. And this securitie I oblide me and my fuccessors in office to procure and delyver to the said James Robertfone, in name and behalf forsaid, betuixt and the last day of Junij instant, in most ample forme, and that under the penalty of ane hundreth pundis Scots, which I oblide me to pay to him in name and behalf forsaid, incase of failzie, besydes fulfilling of thir premisses. And for the more security, I am content and consents that thir presents be insert and regrat in the Books of Councell and Session, or any others competent, to have the strength of a decreit of

either of the judges thereof interponed thereto, that letters and executiones of horning, and others necessar, may pass on six dayes charge only. And I constitute

my procurators, &c. In witnes quhairof (wryten be Hary Chrystisone, wryter in Stirling), and subscriyved with my hand at Stirling the second day of Junij 1^m vj^o and ffourscore eight yeares, before these witnesses, Johne Grahame, Clerk to his Majesties Chancellary; John Mairtein, wryter in Stirling; and the said Hary Chrystisone, &c.

(*Sic subscribitur*)

D. MOIR.

Jo. Grahame, witnes. J. Martine, witnes.

H. Crystisone, witnes.

The whole work being compleated, and the preffes and fhelves fitted, the books were fett up in good order, as they now stand, and are so to be continowed.

The Bishop did wryte to Doctor Fall, Principall of Glasgou Colledge, that he would be pleased (according to the trust putt upon him by those worthy freinds, and his promise thereanent) to come to Dunblane and give his best advyce for ordering everey thing relateing to this Houfe.

This Reverend Doctor was a carefull attender of Bishop Lightone about the tyme of his death, and gave in ane account of severall passages relateing to that most excellent persone not commonly knowne to others, which were very helpfull to the makeing up of this brief record.

He was abundantly satified to sie the fabrick of the house, and all things in it, in such goodly forme, and the books so weill ordered; and that according to the trust and power committed to the Bishop, he hade pitched upon and nominat a very trusty young man to be keeper of the library, viz., Mr Johne Liteljohne, student of Divinity, the sone of a deceast Minister within the Diocels.

The Bishop judged it fitt, that while the Doctor was present, a meetting might be called of such as could be hade at present, for conferting what should be most expedient for preserving of the library in good order, and

preseryeing (for this effect) such institutiones and rules as the keeper should be oblidged to observe from tyme to tyme thereafter.

To this meeting were called Mr Gaspar Kellie, Dean of Dunblane; Doctor James Fall, Principall of the Coledge of Glasgowe; Johnne Grahame, clerk to his Majesties Chancellary; and George Robertson, wryter in Dunblane: and by common consent and advyce fixed upon those Orders and Rules to be duly observed in this house, as follows:—

Att Dunblane, the nyynth of August 1688.

Sederunt—

The BISHOP OF DUNBLANE.

Dr JAMES FALL.

GEORGE ROBERTSONE.

Mr GASPAR KELLIE, Dean.

JOHNE GRAHAME.

Rules and Orders to be observed by the Keeper of Bishop Lightones Library in the city of Dunblane.

1. That the Bibliothecarius, being a Student of Divinity, shall find sufficient cautione under the paine of ane thousand pounds Scots, that he shall observe very cairfully and punctually the instructiones to be appoynted and prescryved to him be the Bishop, as Patrone of the Library, and to whom the right of presentatione does belong.
2. That he give his oath *de fidei administratione*, at his entry, to the Bishop.
3. That in commemoratione of the founder and other benefactors of the Library, the Bibliothecarius shall have ane Anniversary discourse in the moneth of Aprile yearlie, att the close of the Synod, upon such a suteable subject as the Bishop shall think fitt to prescrive to him for that effect.
4. That he attend the Library constantly all the dayes of the week, from ten till twelve houres in the fornoone, and from tuo till four houres in the afternoone.
5. That he keep the Library nait and clean, and make clean the books and shelves from dust, moths, and cobwebbs, att least four tymes evrey year, and oftner if neid beis.
6. That for the better preservatione of the House, he be oblidged to have a fire in the Library att least once evrey week dureing the Winter season, that is to say, from the first of October to the first of March yearly.
7. That he suffer no man to touch aney book but what he delyvers with his oun hand.
8. That no books be lent out without the citie of Dunblane, and these only with the

Bishop's consent, and upon such a consignatione as he shall appoynt for restoring them intire.

9. That the books be kepted still in the same order he receaves the same, conforme to the Catalogue to be delyvered to him, and subscryved by the Bishop, and Dean, and a brother of each Presbetry, as Visitors, that they may be found so at each Synod.

10. That the Keeper sufferr no persones to haunt the Library but such as come with a purpose to read, &c.

The forme of the Oath de fideli administratione to be taken be the Bibliothecarius att his entry.

I A. B. doe faithfully promise, in the presence of God, that I shall with all carefulness and circumspection use my best indeavours for the good and preservatione of this Library, and all in it contained, committed to my charge and trust, that nothing therein be spoyled, lost, or imbazled thorow my default and negligence, and that I shall duely observe the orders and institutiones prescryved thereanent. So help me God.

To the end the Bookes might be the better preserved, and every thing kepted in that order as now settled, it was judged necessary that att the clofe of each Synod the Dean of Dunblane, with tuo other Brethren of the Diocess, one out of each Presbytery, should visit the Library, and see that all the books were in the house, according to the Catalogue; the worthy Founder haveing desired and recomendit it might be so by a paper under his owne hand, which is to be found in the clofe of the Catalogue wryten be himself, and is heir transcribed and sett doune as followes:—

There is a number of single printed Sermones and other litle Treatises and pamphletts sticht up in peaper, which I did not think worth the paines to sett doune in the Catalogue, but they that receive the books and take care of them (if they please), may at their leasure take a note of them, that they may be kepted together as well as they can; and if they lend oney of them out, they may call for them from those that borrow them, as they will (no doubt) be carefull to doe with the other Books from tyme to tyme; and it will possibly be convenient to call for all that are lent out, and to cause them to be brought in at the tyme of every Synod, and the whole to be examined and compared with the Catalogue by the Dean and one of each of the tuo Presbyterys joyned with him.

Those printed sermons, little treatises, and stitched pamphlets recommendit to be kept in the forsaide note, were accordingly looked after, and for their better preservatione are packed up in six bundles. In each bundle there is also putt up a Catalogue conteining the names and number of pices therein contained, and committed to the care of the keeper.

The reverend Bishop Lightone being patrone of St Stephen's altar, within the Cathedrall of Dunblane, hade presented Johne Grahame, commissair-clerk of Dunblane, to the rents and emoluments belonging to the said alterage, and that all the dayes of his life, this gentleman, out of a pious and charitable designe, signified so much that he resolved to resigne all his richt and interest to the said benefice in behalf of the Library, for the good and behoove of this house; for which it is just he be heir mentioned and insert as a benefactor, and one who made the first offer of this nature, which kyndness God will repay to him and such as follow his good example.

It was judged most fitt and necessary, that from this meitting there should be sent up to the Executors ane exact account of this Library, and of all things relateing to it; and how that, by the good hand of God, all was brought to perfectione and finished, that so the longing desyres of those worthie and generous freinds might be refreshed to hear that the Will of that most pious and eminent Bishop, the mortifier, was fulfilled. The desyre of those most faithfull and carefull freinds were punctually observed and answered, and that the liberall expences so readylie and cherfully layed out be them, was with no less cairfullnes and fidelity bestowed and expendit.

For this end, the Bishop of Dunblane and Doctor Fall, Principall of the Colledge of Glasgow (who upon all occasiones showed himself most readie and cordial for the good of this house), did wryte up to Mr Lightmaker, and his Mother, the executors, and to Mr Haberfeild, giveing them ane account of the fabrick of the house, of its roome and furnitur, of the order and upsetting of the books, that all the expenses was satisfied, the tuo hun-

dreth pundis sterling, for a fallery to a keeper, was fetled in the hands of the Toune of Stirling, and that a Student of Divinitie was establiſhed to be a Keeper of the Library, wherewith they were abundantly weil ſatified, and ſignified the ſame to the Biſhop by their next letter.

October 15, —(88).

MY LORD,

I have receaved your declaratione and leter, with tuo others from the Reverend Doctor Fall, the one wryten to Mr Haberfield, and the other to myſelf; and in them ane account ſo ſatisfactory as nothing can be more. In which the great piety and care of your Lordſhip and of that worthy gentleman hath not a litle manifested itſelf, for the which I deſyre to render my moſt humble thanks, as lykewiſe for your particullar notice of my recovery to ſome litle degree of health more then formerly, ſo unworthy of your remembrance. And heir I creave leave to condole with your Lordſhip and many more, for the death of that richt noble and excellent perſon my Lord Strathalan, who was a man ſo highly uſeſull and ſerviceable, a man in whom goodneſs and greatneſs ſo happily mett togiſther, which doubtles makes the loſs the more heavy and unſupportable. The good God reward your Lordſhips great care and diligence, which hath ſo much appeared in this whole affair, and ſuch as I hope I ſhall never forgett, and the good Lord of his infinit mercy bleſs this good work to the Miniſters and Students of that place, that they may receave all the advantages and confortts of it both now and in tyme to come. I am very glad to heir of ſo early a gratificatione of that pious donatione. The Lord reward that pious gentleman that hath bein the donour of it ane hundreth fold, and I hope it may be a good incouragement to others. My Mother deſyres to have her humble thanks for all your kyndneſs to the liveing and to the dead, and if there be aney thing that your Lordſhip thinks as yet further neceſſary to be done in the work, pray let it be done, and I will take care to reimburse the charge of it by the ſame hand that tranſmitted the former. I hade answered your letter ſooner, but that Mr Haberfield hath bein out of toune for theſe fyve weeks laſt paſt, ſo that they came to my hands but the laſt week.

Your Lordſhips moſt humble and oblidged ſervant,

(*Sic ſubſcribitur*)

EDW. LIGHTMAKER.

Directed thus :

For the Biſhop of Dunblane.

This is the true account of the erectione of the ſaid Bibliothek, and other tranſactiones relateing thereto, contained in this and the tuentie tuo

preceding pages of this Register, attested by the Right Reverend Father in God, Robert Douglas, Bishop of Dunblane, and the Reverend Mr Gaspar Kellie, Dean thereof, under their hands, att Dunblane, the first day of Julij J^mvj^o ffourfcore eleven yeares.

R. D. Dunblane:

W. Gaspar Kellie

CATALOGUE OF THE BOOKS WITHIN THE SAID BIBLIOTHECK, AS THEY
ARE SETT UP IN THE SEVERALL PRESSES AND SHELVES.

(*Abstract of the number of books or volumes.*)

FIRST PRESS.	SECOND.	THIRD.	FOURTH.	FIFTH.	SIXTH PRESS.
The first shelve, lib. 16	18	20	18	17	20
The second shelve, 22	28	19	17	19	18
The third shelve, 31	22	25	19	27	25
The fourth shelve, 27	30	33	34	31	25
The fifth shelve, 42	33	33	38	39	39
The sixth shelve, 40	57	40	42	41	38
The seventh shelve, 38	49	52	42	52	43
The eighth shelve, (including "Libri pure Hebraici," 17.) ...				...	44

A Catalogue of Sticht peeces, viz., Single Sermons, litle Treatises, and other Pamphlets, put up in six bundles.

The first bundle, lib. 27. The second bundle, Sermons 26. The third bundle, lib. 25.

The fourth bundle, lib. 25. The fifth bundle, lib. 31. The sixth bundle, lib. 15.

Note—In this bundle are also contained eleven Catalogues and thretein pair of Theses.
(*The M. S. Catalogue extends from page 24 to 63. The last page is as follows :—*)

THE MANUSCRIPTS OF BISHOP LIGHTONE WHICH ARE IN THIS HOUSE.

There came doune with the Books a little box containing some of the Bishop's Manuscripts wryten by himself, being a Colectione of some speciall Sentences, and Observes, as he was pleased to note in his readings for his own use, Wryten promiscuously in Greek, Latine, and French.

Off these there be four Octavos bound, the rest in louse papers, and some sticht. These are kept still in the box wherein they came, and are locked up in a Chist in this house, carefully to be preserved.

Ane other parcel of the Bishop's Manuscripts, receaved by Doctor Fall, Principall of the Colledge of Glasgow, from Mr Edward Lightmaker of Broadhurst, the Bishop's Nephew and Executor, were delyvered in to the house, and are as followes :—

1. Tuo books in octavo, containing several Sermons, the texts of Scripture noted on the books.

2. Ane book in 4to, bund in pacebord, containing the Summa of Sermons on severall texts of Scripture.
3. Some learned and pious Annotationes in Psalm.
4. Short Meditationes on the book of Psalmes, except the first 18th and the last 5, &c.
5. Sermons on the first Epistle of St Johne.
6. Some devout Meditationes on the first nyne chapters of St Matthew's Gospel.
7. Some notes of Sermons preached on the 39 Psalm.
8. Thrie Bundles of Manuscripts, in louse sheets, containing notes of Sermons, and other Colectiones.

Note.—There is also put up with these a Manuscript of Mr Edward Lightmaker of Broadhurst, anent the preservacione of the Bishop's Manuscripts.

All these forsd Manuscripts, Together with the Authentick Catalogue under the Bishop's oune hand, are locked up in this house, and seriously recommended to the care of the Bibliothecar from tyme to tyme.

This is the true Catalogue of the Books, Pamphlets, and Manuscripts within the s^d Bibliothek, as the samen are particularly sett doune in the twentie-fourth page of this Register, and from that to this sixtie-thrid page thereof inclusive, attested by the Right Reverend Robert Douglas, Bishop of Dunblane, and the Reverend Mr Gaspar Kellis, Dean y^e of, att Dunblane, the first day of Julij J^mo ffourscore Eleven yeares.

R. D. Dunblane:

W. Gaspar Kellis

ANOTHER volume in the Leightonian Library, along with Minutes of occasional Meetings of the Trustees held during the last Century, contains such detached letters and papers as could be discovered in the place a few years ago, when the books were examined in preparing a revised edition of the Catalogue. Some of these letters may serve as a suitable accompaniment to the preceding Account. Unfortunately, none of Bishop Leighton's Manuscripts, specified in the list at page 263, are now preserved at Dunblane; and the information requested by the Trustees in April 1708, and conveyed by Dr Fall in a letter written in 1710, is of some importance, as partly accounting for their loss "to the House."

JAMES FALL, D.D., who acted as Leighton's literary executor, was admitted Principal of the University of Glasgow in September 1684. He was sequestered by the Visitors of 1690, on declining to take the Oaths. In the following year, without any solicitation on his part, he was preferred to the Precentorship of the Cathedral of York; and was collated on the 19th of January 1691. This, he says, in an unpublished letter addressed to Mr Robert Wylie, Minister of Hamilton, and dated York, January 15th, 1693-4, "was determined and resolved on privately, between my two old friends, the now two Archbishops of this kingdom; somebody else [referring probably to the Duke of Queensberry], whom the world thought was the doer of it, knew nothing of it till it was done." In the same letter he says, "I am comforted to find yow valew so much the two litle (but yet great) presents I made yow of Bishop Leighton's Discourfes (I hope yow have a third by this time); if your Brethren were of your relifh, the copies of those books would not lye so much upon the hands of bookfellers as I hear they do. But 'Wifedom fhall be justified of her children,' though she seemes to have too few of them in Scotland. We design no profit by printing these excellent reliëts of that excellent Man, but to

communicat what the world really so much wants, viz., the Knowledge and Art how to treat Divin things in a Divin way, and (as yow say) to warm as well as enlighten. I do not remember ever to have seen any thing of humane compofure (after Tho. à Kempis) come up so near to this character. We print all at our own expences; I contribut litle more than my labour, his Sister and Nephew do all the rest. This Nephew is the Uncle *Redivivus*, who has absolutely renounced the world, though he has an estat in it worth 500 lb sterling yearly rent. Yow would admire the letters I have frequently from him. We have now at the press some Discourses on the Decalogue, Lord's Prayer, and Apostolick Creed, as also the continuation on St Peter, with the Epistle to the Ephesians. Whether they sell or not in Scotland, they will elfewhere."¹

Dr Fall died at York on the 13th of June 1711, aged 64, and was buried in the Cathedral.²

No. I.

ACT SYNOD OF PERTH AND STIRLING NOMINATING MRS ALEX^B. DOUGLASS AND MATTHEW WALLACE TO JOIN THE OVERSEERS OF THE LIBRARY OF DUNBLANE. 1703.

At Aughterarder, Thursday, the 12th day of October 1703.

THE which day the Provincial Synod of Perth and Stirling being met, a Letter was produced by Mr Michael Pottar, Minister of Dumblane, anent the Librery of Dumblane, bearing that the Executors of Bishop Lighton have sent an Instrument to John Graham here, wherein they shew their right and power to the said Librery, and do nominat and give power to the Viscount of Strathallan, my Lord Aberuchel, Sir Hugh Paterfon of

¹ Wodrow MSS. Fol. vol. xxvi. no. 182, belonging to the Church of Scotland.

² Le Neve's *Fasti Eccl. Anglicanæ*, pp. 317, 534. The inscription on his monument is given in Drake's *History of York*, p. 504.

Bannockburn, John Graham in Dunblane, and their heirs, with the Minister of Dunblane, to inspect and oversee the Library, and order what may be for the good of the same; and that they desire the Rev^d. Synod to appoint two Ministers of the Presbyterie of Dunblane to joyn with the foresaid persons in that work, Strathallan and Bannockburn having no heirs for the time capable to act in that affair, being minors, and very young: Which the Synod considering, they did nominat and appoint Mr Alexander Douglas, Minister of Logie, and Mr Matthew Wallace, Minister of Kincardine, both members of the said Presbyterie, to be assistant with them in that affair, and make report of the case of the Library to the Synod, and appointed Mr Michael Pottar to acquaint the persons named in the foresaid Instrument thereof.

Extracted by me,

PAT^r. WYLIE, *Clk. Syn.*

No. II.

THE REV. DR FALL TO THE REV. M. POTTAR.

SIR,

York, Apr. 24th, 1704.

Your acquaintance and mine is of an old standing, but time, distance of place, and other circumstances, have interrupted our correspondence, yet, upon such a favourable opportunity as now offers, in joyntly carrying on and settling a work of publick charity, such as your Library is, makes me willing to renew it.

Mr Lightmaker, and his mother, Executors of the late Bishop Leighton (the founder of that Library), are inclin'd to add an additional Benefaction of 100^{lb} sterl.¹ to the summe of 200^{lb} now in the hands of the town of Stirling, the interest whereof they destin shall be bestow'd thus, viz., one-half of the yearly interest to the Library-keeper, as an augmentation of his

¹ The original deed, on stamp paper, duly signed and sealed by Edward Lightmaker, 5th August 1704, is preserved along with letters of Dr Fall, the Rev. Michael Pottar, Minister of Dunblane, and his son, regarding the mode of investing this additional grant.

fallery, the other half to be a standing fund for the keeping up and repairing the Fabrick in all times coming, as shall be directed by the Trustees and their successors.

That which they now desire is this, that you, together with the surviving Trustees who are of age, may be pleased to meet at Dumblane with your first conveniency, and then and there, by some writing under your hands, declare your acceptance of the 1st Trust committed to you by the original Instrument of Trust now lying in Mr Graham's hand, or in the Library; and then to consult and resolve on the best and surest way to place the whole 300^{lb}. sterl., so as the interest thereof may best answer the pious ends proposed. What you shall do as to these two material points, be pleased to send up an account to me, that I may transmit it to Mr Lightmaker and his mother.

I must now joyn my most earnest entreaty to you, to be a happy Instrument to get these things done with all convenient dispatch; for you very well know that a fair occasion once lost is not easily retrieved, that time is uncertain, and the worthy gentleman is but of a very crazy constitution, and therefore he is very impatient till he remitt the money, which he will do, as soon as he knows from you (who are the Trustees) to whom, by your order, it ought to be pay'd.

You who are now the surviving Trustees are but few, you live near together, and no doubt you will more easily meet and agree. If I had been known to the late Lord Arbruchill's son, as I was to himself, I had now written to him. I hope you will excuse me, and he will pardon me. So praying God to direct you all in so good a work,

I am, Sir,

Your old friend and humble servant,

JA. FALL.

For the Reverend Mr Michael Pottar,
Minister of Dumblane.

No. III.

THE TRUSTEES OF THE LEIGHTONIAN LIBRARY TO THE REV. DR FALL.

MOST REVEREND SIR,

Wee, the Trustees of the Library of Dunblane, nominated by the very Reverend Bishop Lightoun's Executors, inclined to have written much sooner, but could not till wee were in some case to give account of the state of the said Library, q^{ch} is as followes:—That wee have inspected all the books in particular, and found them in very good condition. As also, the fabrick of the house, and have ordered what reparations were necessary. In like manner, the money sent down by the last Donation was secured in the town of Edr^e, q^{ch} they now threaten to give up, and q^{ch} wee shall use all possible means to prevent, or means for that effect proving unfucceessfull, take all care that it be lodged in a good hand. The bond for the money formerly in the town of Stirling is renewed in name of the present Trustees, q^{ch} they requyre us to take up, unless we give it for less interest than law allowes; but knowing that full interest can be had from good hands, wee are not resolved to give it to them or any other for less. James Robertson, in Park of Keir, who was intrusted with the management of the money for building the house, gave in his accompts, with an hundred pounds Scots of ballance. Which we received and discharged, and q^{ch} foume, with the interest of the halfe of the last Donation, shall be employed for keeping up the fabrick of the house, and augmenting the number of the books, so far as it will reach.

Wee are informed that when yow was last here, yow took alongft with yow a Catalogue of the books, in order to printing the same. Wee would gladly know whither yow have it by yow. Wee find y^e are several of the very Reverend Bishop Lightoun's works through the countrey, quhich are not in the Library (there being only his Prelections and his Commentaries upon the two first Chapters of the First Epistle of Peter here),

which wee earnestly desire to have. The Register bears an account of several Manuscripts of the said Reverend Bishop's y^t were in the Library, q^{ch} the Library-keeper informs, at Mr Lightmaker's desire, were sent up to him, in order to printing, and that he has a letter bearing the receipt of them, and that they should be carefully returned, Qch we find not yet done. We still intertain a gratefull sence of the worthy Mr Lightmaker's pious Donation, and of your particular care and concern in what relates to the Library, and we earnestly desire this to be represented to the Executors. And as we have hitherto observed the directions contained in the Instrument, so do we resolve for the future, and shall give an account y^rof from time to time.

Indorsed:

Double of a letter to Doctor Fall, q^{ch} was
signed 28 Aprylle 1708.

No. IV.

THE REV. DR FALL TO THE REV. ALEXANDER DOUGLAS.

SIR,

York, Nov^r. 4th, 1708.

I receiv'd a letter from the Trustees of your Library, of the date from Dunblane the 28th of April last, whereof I sent a true copie to Mr Lightmaker. I have all this time expected an answer from Mr Lightmaker, but have not had one line from him to this day. I intend now, God willing, to go for London in a few days. I will enquire there more conveniently for Mr Lightmaker, and what answer I get from him it shall be transmitted to you. I write this, that the Gentlemen, the Trustees, may not think there is any neglect in me to serve all the good ends proposed for the better conservation of that pious foundation and benefaction for the good of posterity. My humble service to all who signed the Letter, and

assure them I am, with all respect, S^r, their and your faithfull friend and
servant,

JA. FALL.

To the Reverend Mr Alex^r. Douglas,
Keeper of the Library of Dunblane.

No. V.

THE REV. DR FALL TO THE TRUSTEES OF THE LEIGHTONIAN
LIBRARY.

GENTLEMEN, AND MY VERY GOOD FFRIENDS,

I had the favor of yours relating to Mr Lightmaker's Executors, and the Trust ye are concern'd in as to the Library of Archbishop Leighton at Dunblain, wth a copy of a letter formerly sent concerning the state of that Library. I am very sensible of the respect you shew me, and the confidence you put in me, upon this occasion; but I don't see any other service I can do in this matter than to lay these papers before Mr Lightmaker's Executors. I am entirely discharged of all concern in that matter, further than my hearty wishes for your prosperity; and I am very glad that the Trust is in such hands, wherein may be expected both prudence and integrity in managem^t. You are vested with full powers to do and determine what is fit and proper for the Library, and what belongs to it, and must be much better judges of what is so than any body else that is not on the spot; so that advice and counsel, in such a case, cannot be expected from hence, much less indeed from me, disabled now by age and infirmities from those small services that I was formerly, to the best of my power, ready to assist my friends with. This, indeed, I will endeavour to do, to let you know how to correspond with the Executors of Mr Lightmaker, that you may, as you resolve, from time to time give an account to

them of your care and Improvements in the Trust; and I think that's all that I can further assist or direct in this matter.

As to some of the particulars in the inclosed letter, I can give you this answer, that the Catalogue of Books which I brought from Dunblain, in order to be printed, was by me put into Mr Lightmaker's hands, and I suppose is to be found among the rest of his Papers: it never was printed, that I know of.¹ I shall write along with yours to those concern'd, and recommend to them to send printed copies of those of Archbishop Leighton's works you have not yet received into the Library.

As for the MSS., they are in the hands, I suppose, of Mr Lightmaker's Executors: many of them are transcribed for the press, and others already printed. What are printed, or shall be printed, care will be taken to send copies of them to the Library; but for the original MSS., Mr Lightmaker designed to keep them, thinking them of no further use in the Library after they were printed, and copies of them were sent to you. What the Executors will do with those that are unprinted, I cannot tell; but in that you may satisfy your selves when you can, as I shall in a very little time enable you, direct to them.

This, Gentlemen, is all at present that I can think of, in answer to yours, the imperfections of w^{ch} I desire you to impute to the ill state of my health, and believe that I am, with great sincerity,

Your very humble servant,

JA. FALL.

York, 16th Sept^r. 1710.

To Mr Grahame, and the Reverend Mr
Pottar, and the other Trustees of the
Reverend Bishop Leighton's Librarie
at Dunblane.

¹ A Catalogue of the Leightonian Library, Dunblane, was first printed at Edinburgh, 1793. 8vo. A revised edition of the Catalogue was printed in 1843. 8vo, pp. 71.

LETTERS OF ASSEDATION
TO AGNES COUNTESS OF BOTHWELL;
AND OTHER DEEDS CONNECTED WITH
THE HEPBURNS EARLS OF BOTHWELL,
AND THE HEPBURNS OF WAUGHTON.
M.D.XX.—M.D.LXIV.

VOL. III.

MM

OF the following Charters, Nos. III., VII., VIII., and IX. were discovered in a collection of miscellaneous deeds and law-papers in the Library at New Hailes; and we are indebted to the courtesy of Lady Dalrymple Ferguson for the use of the originals, with permission to print them in this work. Nos. I. and II. belong to the Editor. An inspection of the Charter-chest of Sir Thomas Buchan Hepburn of Smeaton-Hepburn, Bart., furnished other Charters connected with the ancient family of Hepburn of Waughton and Smeaton, and from this source Nos. IV., V., VI., X., and XI., have been obtained. Some occasional notes or extracts, chiefly from the public Records, are added as No. XII.

During the fifteenth century the family of the Hepburns became very powerful and opulent, and several of the younger sons held high ecclesiastical appointments. As the accounts in the Peerages of Scotland are in several respects inaccurate, a few words in reference to the immediate progenitors of James Earl of Bothwell may not be considered superfluous. But on various points connected with their alliances and children, more precise information would be required before any exact and satisfactory pedigree could be constructed.

Sir ADAM HEPBURN of Hales, knight, died in 1446.

Sir PATRICK HEPBURN of Hales, his eldest son, was created a Lord of Parliament in 1456-7, by the title of Lord Hales. He was probably twice married,¹ and died 21st March 1481.

ADAM HEPBURN, Master of Hales, in 1460, married Helen Hume, daughter

¹ See notice in 1484-5, *infra*, p. 309.

of Alexander Lord Hume. She survived her husband, who died during his father's life, in 1479.

Sir PATRICK HEPBURN, their eldest son, succeeded his grandfather as Lord Hailes, in 1481. On the 26th of June 1488, he was created EARL OF BOTHWELL by James the Fourth, who also conferred on him the hereditary office of High Admiral of Scotland, with other dignities and extensive possessions. He died 18th of October 1508. He married Janet Douglas, daughter of James first Earl of Morton, as appears from a charter dated 1st of February 1480-1. If, as there is some reason to imagine, he was twice married, his second wife might have been the Margaret Gordon, daughter of George second Earl of Huntley, who is mentioned as Countess of Bothwell.

His eldest son and successor, ADAM SECOND EARL OF BOTHWELL, on the 4th of May 1509, appeared before the Lords of Council, and because he was not yet of the perfect age of 21 years, at his special request John Prior of St Andrews, George Abbot of Aberbrothock, and Adam Hepburn of Craggis, were appointed his curators *ad litem et negotia in forma juris*.¹ He married, in August 1511, Agnes Stewart, natural daughter of James Earl of Buchan, uterine brother of King James the Second; and was killed at Floddon, 9th of September 1513, leaving an infant son, Patrick, who succeeded to his title and estates. Agnes Countess of Bothwell² married to her second husband Robert fourth Lord Maxwell. This alliance must have taken place between December 1520, the date of the following document, No. I., and the year 1526, when a gift, under the Privy Seal,

¹ Acta Domin. Concilii, vol. xx., f. 182. See extract, p. 309.

² There was a contract of marriage between Malcolm Master of Flemyng (son and heir of John Lord Flemyng) and Janet Stewart, daughter of Agnes Countess of Bothwell, upon obtaining a dispensation from Rome. It is dated at Edinburgh, the penult of February 1523-4.—(*Analecta Scotica*, vol. ii., p. 50.)

of the ward and relief of the lands and annuities which pertained to the late Edward Maxwell of Tinwald was granted to Robert Lord Maxwell and Agnes Countess of Bothwell, his spouse.¹ On the 31st of July 1533, a Charter was granted to Patrick Earl of Bothwell of certain lands in the barony of Crichton, which belonged in conjunct-fee to Robert Lord Maxwell and his wife Agnes Stewart Countess of Bothwell, and were in the King's hands by reason of non-entry. Lord Maxwell died 9th of July 1546. The lady must have been well advanced in years when letters of legitimation under the Great Seal were granted on 31st of October 1552.

PATRICK HEPBURN MASTER OF HAILES, who appears by this designation in the document No. II., is also mentioned in the Parliamentary proceedings in 1526. The extinction of so many of the name at Flodden may have then brought forward a younger branch of the family. By a decision of the Lords Auditors, 11th December 1494, the lands of Bolton were declared to belong to Patrick Lord Hales, afterwards Earl of Bothwell; and this property he seems to have conveyed to his younger son Patrick. It is unquestionably a mistake, therefore, to consider "Mr Patrick Hepburn," who was successively Prior of St Andrews, Secretary of State, and Bishop of Murray, to have been the second son of Patrick first Earl of Bothwell. An imperfect notice in the "Acta Dominorum Concilii," in 1524, proves indeed that "Mr Patrick Hepburn" had instituted claims to have himself declared Tutor to the young Earl, in place of Patrick Hepburn "Master of Halis," whose right, however, as nearest heir-male, must have been recognised in assuming this title.² On the 21st of June 1526, an Act bears that the King's Grace declared that he gave command to the Earls of Angus, Lennox, and others, "to pass and tak certain rebellis beand in cumpany with the Master of Halis

¹ In the original deed, which has the signature of King James the Fifth, the day and month are left blank. It is deposited in the Library of the Society of Antiquaries of Scotland.

² The notice referred to (see p. 309) was obligingly pointed out by John Riddell, Esq., Advocate, who also communicated various other collateral matters that have proved very useful in compiling this introductory notice.

in Boltoun," and that the said Lords, &c., "should incur no accusation tharfor in tyme to cum."¹ Notwithstanding this public guarantee, a Supplication was presented to Parliament, on the 11th of December 1543, by Patrick Hepburn of Bolton, claiming compensation for his losses, setting forth "that quhair xvij yeir syne, or thairby, Archibald Erle of Angus, George Douglas his broder, and thair complices, of verray malice, brint and destroyit his place of Boltoun, and all the gudis being thairintill, &c."² Before this time, Patrick Hepburn had ceased to be designated Master of Hailes, and he afterwards continued to style himself of Bolton, although he had alienated his right to the property; for, by a registered contract, on the 2d of July 1554, he conveyed to Patrick Earl of Bothwell "all rycht and tytill of rycht quhilk he hes in and to the haille landis and barony of Bolton, with the teynd schevis of the samyn, &c." for the yearly pension of 300 merks.³ Three years later, when James Earl of Bothwell had succeeded, the same contract is renewed, on the 17th of March 1557-8.⁴ "Patrick Hepburn in Bolton, *sometyme wes Maister of Haillie*," died the last of October 1576: according to his Testament,⁵ made in 1569, he was "then agit and seiklie;" and Katharine Fleming,⁶ his spouse, was nominated executrix; but his property was very inconsiderable.

PATRICK THIRD EARL OF BOTHWELL, as already stated, succeeded in infancy. He married in 1533 or 1534 Agnes Sinclair, Lady of Morham, by whom he had his son and successor James, and his daughter Jane. But Earl Patrick and his wife were divorced, previously to November 1543, the date of the

¹ Acta Parl. Scot., vol. ii., p. 307. Remission was granted to Patrik Hepburn, Master of Halis, for his treasonable assistance given to George Lord Hume, 6th of April 1529.—(Pitcairn's Criminal Trials, vol. i., p. 243*.)

² Acta Parl. Scot., vol. ii., p. 432. See also *infra*, p. 311.

³ Register of Deeds, vol. i., fol. 107.

⁴ *Ib.*, vol. ii., fol. 240.

⁵ Reg. Conf. Testaments, Edinburgh, 20 Oct. 1577.

⁶ She must have been his second wife; as Nicholas Hume, Lady Hercus, in 1547, is called his spouse: see note, page 291.

following charter, No. III. in which she is styled daughter "to umquhile Margaret Lady Sinclair." In 1493-4, Henry Lord Sinclair (who was killed at Floddon in 1513) married Margaret Hepburn, and as she is said to have been the third daughter of Patrick first Earl of Bothwell (but more probably of the Earl's father, Adam Hepburn of Hailes), the sentence of divorce may have proceeded on the ground of some prohibited degree of consanguinity. After the death of James the Fifth, in 1542, the Earl of Bothwell is said to have aspired to an alliance with the Queen Dowager; it is therefore by no means improbable that the sentence of divorce was obtained (as in the case of his son and successor) to facilitate his designs.¹ The Earl died at Dumfries in September 1556. As the "Lady of Morham" had not been "clad in matrimony" after her separation, the deed of reversion in 1543, in favour of Earl Patrick "her former spouse," thus remained uncanceled. She survived till the year 1573,² and although usually styled "Lady of Morham," she still retained her title of Countess of Bothwell.

The hand-fasting of "Jane Hepburn, dochter to Patrick Erll of Bothwell, and of Robert Lauder younger of the Bass," took place on the 24th of July 1556;³ but for some reason not assigned, on the 1st of September, the contract of marriage was annulled. In January 1561-2, she married Lord John Stewart (natural son of King James the Fifth), Prior of Coldingham, who died the following year, leaving a son, Francis, who after his uncle's death and forfeiture was created Earl of Bothwell. She was afterwards twice married.

¹ Sir George Mackenzie of Rosehaugh, in his MS. Account of the Families of Scotland, has the following remark:—"It was hereditary to the House of Hales to be kinde to the widow Queens, as Patrick to Queen Jean, widow to King James 1st; His son to Queen Mary of Gelderland; Patrick Earl of Bothwell to Queen Mary of Lorain, widow to King James 5th; His sone to Queen Mary."

² See a note of her confirmed Testament, printed at page 304.

³ Protocol Book of Robert Lauder, Notary Public, North Berwick. (Chartulary of North Berwick, printed for the Bannatyne Club, Appendix, p. 72. Edinb. 1848, 4to.)

JAMES, FOURTH EARL OF BOTHWELL, was a person of too much notoriety to require any detailed account of his life in this place. The Memoir of Bothwell contained in the "Life of Mary Queen of Scots," by George Chalmers, author of "Caledonia," exhibits by far the most accurate and extensive collection of facts respecting the Earl, gleaned from authentic sources. He was born about the year 1535; served heir to his father in November 1556; was married in February 1565-6 to Lady Jane Gordon, second daughter of George fourth Earl of Huntley,¹ but was divorced in May 1567, partly on the alleged ground of the parties being within the fourth degree of consanguinity,² but in fact to facilitate his guilty and ambitious projects. His object in making a grant of the Earldom to William Hepburn, brother-german to the Laird of Waughton, and his heirs-male, in March 1558, is not very apparent. It will be observed that this charter (No. VII.) is accompanied by the usual instrument of Sasine (No. VIII.) and a charter of Reversion of the Earldom granted by the said William Hepburn (No. IX.) for the nominal sum of 20 merks, or L.13. 6s. 8d. Scottish money, being equivalent to L.1. 2s. 2½d. Sterling. The Earl's subsequent forfeiture rendered such a destination of no effect, and, under any circumstances, it would have required to be confirmed by the Crown. After a protracted captivity, Bothwell died in exile, in the year 1578.³

¹ Mr Riddell, in his valuable work on Peerage and Consistorial Law, has pointed out the fact that Earl James had previously, in April 1559, been "quyetly marriet or hand-fast" with Janet Betoun, Lady Buccleuch, but that this engagement did not constitute a valid marriage.—(vol. i., p. 428, note.) A contemporary Danish Chronicle records, that when the Earl fled from Scotland, in 1567, another claimant, as the lawful wife of this noted personage, appeared.—(Communication to the Society of Antiquaries of Scotland, by Professor Munch of Christiania, in 1850.)

² See the table, in the note infra, p. 308.

³ Various dates have been assigned; but it has been ascertained that Bothwell died at Dragsholm, on the west coast of the Danish Province of Zealand, on the 14th of April 1578.—(MS. Communication by Mr Thorl. Gudm. Bepp of Copenhagen.)

No. I.

LETTERS OF ASSEADATION OF THE FOREST LANDS TO AGNES COUNTESS OF
BOTHWELL, BY THE QUEEN DOWAGER, IV. DECEMBER M.D.XX.

TO ALL AND SINDRY quham it efferis, quhais knowlege þir pñt lřes fal cum, MARGARET, be þe grace of God, Quene of Scotland, greting, in God euir-lesting, wit 3e ws, w^t avise, autoritie, and consent of our dereft spous, ARCHIBALD EARL OF ANGUS, Lord Douglas, &c., to haue fet and to male lattin, and be þir pñt lřes fettis and to male lattis to our weilbelouit coufinace, AGNES STEWART, COUNTES OF BOTHUIL, hir assignais and subtenentis, ane or ma, all and hale our Forest stedis and landis of the Tynnis, w^t the tour and place þarof, and our Forest steid and landis of þe Dewchir, w^t all þar pñtinentis ptening to ws, in cōiunct festment, liand in our Lordschip of Ettrik forest on the warde of Ȝare, w^t in þe fřefdom of Selkirk, ffor al the dais and termis of nyne 3eris. The entre of our said coufinace, Agnes Countes of Bothuil, hir assignais and subtenētis forsaidis, in and to þe tak and affeda-tioun of all and hale our saidis Forest stedis and landis of the Tynnis, w^t þe tour and place þrof, and of þe Dewchir, w^t al þar pñtinentis, to begin þe day of the date herof, and þareftir to endure ay and quhill þe saidis nyne 3eris be full and togidd^t complet and outrūnin, w^t houff, bigingis, ȝardis, toftis, croftis, medois, pasturis, lefuris, w^t cōmon pasture fre ische and entre. And w^t all and fundry vþer cōmoditeis, fredomis, aissamentis, and richtuus pñt-nence quhatfumeuir ptening and þat richtuunlie may ptene þairto during þe said space. The said Agnes Countes of Bothuil, hir assignais and sub-tenentis forsaidis, or þar factouris payand þarfor ȝerlie during þe saidis nyne 3eris to our self, our chalmerlanis, ballies or factouris, þe soun of four scoir of pundis vsual money of Scotland, at termis vsit and wont in þe ȝer, likeas

þe lafe of our forest stedis, of our said lordschip, pais alanerly. And we for futh and our said Spous fall warand, acquiet, and defend to our said coufinace, Agnes Countes of Bothuil, hir assignais and fubtenentis forsaidis, all and hale our saidis Forest stedis and landis of the Tynnis, w^t þe tour and place parof, and of the Dewchir, w^t all par ptinentis fet be ws to hir and þame in affedatioun, as said is, during þe saidis nyne 3eris. And fall kepe and defend hir and þame in peciabill brouking and joifing þ^rof aganis all pfonis þat wald mak ony stop, trubill, molestatoun, or impediment to þame þ^rin, as law will, but fraud or gile. The said Agnes Countes of Bothuil payand to ws for entre filuer and graffum of þis our tak and affedatioun maid be ws to hir of our saidis Forest stedis and landis, þe soun of thre hundreth merkis vful money of þe realme. In witnes of þe quhilk thing to þir lres of affedatioun, fubferiuit w^t our hand and grit sele, is hungin,¹ togidder w^t fubfcriptioun of our said Spous, in takin and signe of his consent to þir þ^rmiss, at Edinburgh, þe ferd day of December, the 3ere of God I^m v^e and tuety 3eris.

*Margaret
re of Angus*

¹ Only a portion of the Great Seal with the Royal arms is preserved; and of the inscription, the letters . . . "GARETA."

No. II.

DAVID FORREST'S OBLIGATION FOR PATRICK MAISTER OF HAILES,
XIX JANUARY M.D.XIX.

I, DAVID FOREST, burgeß of Hadingtone, grants¹ me to be bundin and oblist, and be the tennore heiroff, ⁊ be [the] faytht ⁊ trewcht in my body, leillilie ⁊ trewlie bindis ⁊ oblist me, my airis and assignais, to ane honorabil Lady, Daym Elin Schaw, Ladj of Dirltoun, pat forsamakil as fhow hes fet in tak ⁊ affedation to ane honorabil man, Patrick Hepburn, Maist² of Halis,³ all ⁊ hail hir thryd of þe land⁴ ⁊ barone of Boltoun, for all þe dayis ⁊ termes of hir lyff, Tharfor I, my air⁵, executors, and assignais bind⁶ ⁊ oblist ws, as said is, to ptent and pay yeirly to þe said Lady, her factor⁷ ⁊ fwannd⁸, þe fowme of twentj merkis vsuall money of Scotland, ⁊ twa vsuall tmes in þe zer, vitsonday ⁊ intmeß in winter, be ewin portionis, induring þe dayis ⁊ zer⁹ of hir lyff, eft¹⁰ þe tenour of hir affedation gewin to þe said Patrik pairvpone, þe first payment heroff to be at þe next fest of Whitsonday immediatlie following þe dait of þir lres, ⁊ sua fortht zerlie ⁊ tmlie induring þe dayis of hir lyff. In witneß heroff to þir pñts, I haue affixit my ppir feill,¹¹ at Setone, þe nyneten day of Januar, þe zer of God ane thowland fyffe hundreth ⁊ xix zer¹², befor þir witneß, Johne Häiltone, Johne Hepburn, ffr Patrik Newton, ffr Hendrie Laufone, w^t vther¹³ diuerß.

¹ "David Fowrus," or Forrest, appears in the Borough Records of Haddington as Treasurer of the Burgh, in the year 1539. He was evidently a relation, probably the father, of David Forrest, who became a zealous supporter of the Reformation, and held the office of General of the Mint. See Knox's History of the Reformation, vol. i. pp. 137, 260, 300, 563-564.

² On the 20th September 1530, "Patrick Hepburn Maister of Haillis, Thome Sinclair, and Alexander Hepburn, wer choissyn Bailzeis for a zeir."—Haddington Borough Court-Book.

³ This document is written upon paper, and the seal is lost.

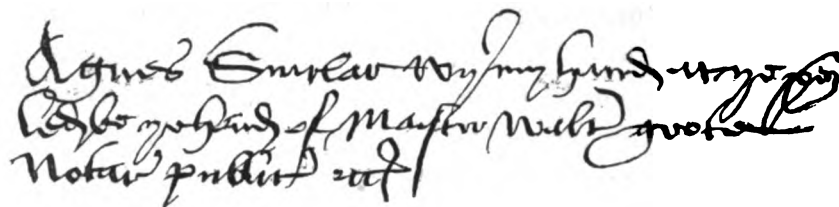
No. III.

CHARTER OF REVERSION, AGNES SINCLAIR, TO HER FORMER SPOUSE, PATRICK
EARL OF BOTHWELL, VIII NOVEMBER M.D.XLIII.

TYLL ALL AND SINDRY quham it efferis, quhais knowlege pir pnt lres falcum, AGNES SINCLARE, dochter to vmquhile Margaret Lady Sinclare, greting, in God euirlesting, wit your vniuersiteis, That albeit ane nobill and mychty Lord, Patrik Erle Bothuell, Lord Creichtoun and Halis, &c., sumtyme my Spous, hes fauld and analeit to me, my airis and assignais, heretabillie, be charter and fefing, all and hail his landis of Morame, wt the toure, fortalice, mylne, tennent, tennandryis, and seruice of fre tennentis, aud superioritie of the landis of Northrig, with the few malis of the famy extend- and zeirly to threttene markis, allegit to pertene to Thomas Sinclare in few ferme, and ten husband landis liand contigue at the eist part of pe toun and territorie of Markill, constabulary of Hadingtoun, and frefdome of Edinbur^t, as at mair lenth is contenit in his said charter of alienationuñ maid and gevin to me p^oupouñ. Neuirpeles, I will and grantis, and alswa lelely and trewlie, be pe faith and trewt in my body, bindis and obliß me, my airis and assignais, that quhat tyme or howsone efter that I be cled in matrimony wt ane husband, or in caiß it happin me to deceiß befor pe redemption of the saidis landis wt pair ptenentis, in pe saidis caiß, and ilkane of þame, it salhappin pe said Lord, his airis or assignais, vpoun ane day betuix pe fune rising and ganging to of pat ilk, into the College Kirk of Sanct Geill of Edinbur^t, and pair, vpoun Sanct James altare situate wt in pe famy, to content and pay to me in my lifetyme, and efter my deceiß my airis or assignais, ane or ma, of pair awin propir gudis, and to pair awne utilitie and proffet, pe soume of Thre thowsand markis vsuale money of

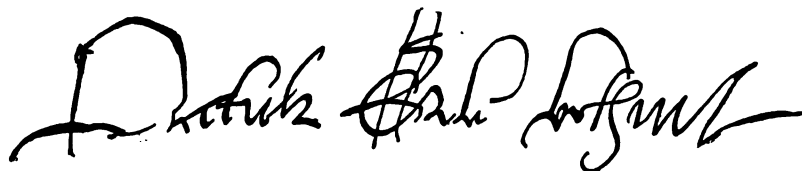
Scotland havand cours of payment for þe tyme That þan incontinent, efter þe paymēt of þe said soume swa to be payit and deliuerit, as said is, I, my airis and assignais, fall renūce, purelie and simpillie resigne quit clame ourgif and frelie deliuer agane to þe said Lord, his airis or assignais, all and haill þe saidis landis of Morame, w^t þe tour, fortalice, mylne, tennent, tennandryis and suice of fre tennentis of þe samy, and superiorite of the landis of Northrig, and few malis of þe samy foirsaid, and ten husband landis liand contigue w^t in þe toun and territory of Merkill, and þe ptinentis, w^t charter, fefing, and all v^p eidentis maid and gevin to me þ^oupoun, and w^t all ry^t and titill of ry^t clame, propirte, and possessioun heretabill, q^lk in þe samy, w^t þe pertinentis I had, hes, or ony wise for me, my airis or assignais may have pairto in tyme tocum. And þat I, my airis nor assignais, fall not fraudfully nor wilfully absent ws fra the ressaung of þe said soume of thre thowfand markis, I or þai being lauchfully wairnit and requirit þ^oto be þe said Lord, his airis or assignais, owthir personaly or at our dwelling place for þe tyme, vpon fourty dayis wairnyng of before, in presence of ane notar and witnes, as efferis. And gif I or þai absentis ws pairfra, being lauchfully wairnit and requirit pairto, as said is, Than and in that cais it falbe lesfull to þe said Lord, his airis and assignais, to haue full regres and ingres in and to þe propirte and possessioun heretabill of þe saidis landis befoir specifeit, w^t þe pertinentis, siclike as he had of the samy befoir þe alienatioun maid and gevin to me þ^oupoun, bot ony proceß of law, impediment, or obstakill quhatfumeuir. Neurpeles, þe said soume of thre thowfand markis, to þe utilitie and proffet of me, my airis and assignais, vnder ficker keping, to be put in þe handis of þe Thesaure, or Dene of Gylde of þe bur^t of Edinbur^t, q^lk for þe tyme salbe, all cavillatioun, fraude, and gyle secludit and away put. In witnes of þe q^lk thing to þir pñt lres, subscriuit w^t my hand, my seill is to hangin, at Edinbur^t, þe awcht day of Nouember, the 3eir of God ane thowfand five hundret and fourty thre 3eris, befoir þir witnes, Johne Wemis, sone and apperand air to Johne Wemis of þat ilk, Williame Rynde, William Bannatyne, Maister Robert Hamiltoun, Sr Tho-

mas Godrell, Rot Westwod, Johnne Wemis, and Maister Walter Groit
not, wt vp^{is} diu^{is}.



Ita est. WALTER⁹ GROTE, nōrius public⁹
manu pp^a.

The following is a facsimile of Patrick Earl of Bothwell's signature to a Charter, in the possession of Sir Thomas B. Hepburn, from the Earl to "Mr William Brown, Tutor of Colstoun," of ten acres, viz., six acres of the lands called Smedy Land, near Linton, and four acres, between the lands of Sir Patrick Hepburn of Waughton on the East and South, of Archibald Hog on the West, and the public road leading to Haddington on the North, dated at Aberdeen, 12th July 1537: witnesses, Mr James Hepburn Dean of Dunkeld, Henry Hepburn, and others.



No. IV.

THE TESTAMENT OF SIR PATRICK HEPBURN OF WAUGHTON, KNIGHT,
XXX AUGUST M.D.XLVII.

IN the name of God Amen. I PATRIK HEPBURNE of Wachtoun kny^t, makis my Testament in the zeir of God M.^vxlviij zeiris, ⁊ the xxxijth day of August. In the fyrst, I bequethe my sawle to God Almy^ety, our blyffit Lady, ⁊ all the Sanctis of Hevin, ⁊ my banys to be erdit in my ylle of Preston Kyrke, ⁊ I leif for my executoures Patrik Hepburne my eldest sone, Mr George Hepburne beand in France, Adam Hepburne, and Wilzam Hepburne beand in England, ⁊ John Hepburne, thir my fyve sonnes, and my wyfe Helene Hepburne ourman. I haue Wachtoun plenyffit in oxen, cheip, ⁊ corne and kye, I haue the Myresfyde fyclyke, Gilmertoun Eyfster, Crachawe, the halfe of the gudis of Smetoun, w^t the land^e of Brethirtoun in the Mernys fyclyk plenyffit w^t my gudis, quhilk^e my bukis ⁊ Invitaris wyll bere by my cornys, the q^{lk}^e my greiff^e hafe to gif accompte of / The dettis that is awyn to me, in my remembrance, fyrst is, by Paule Hepburne beand in the Mernys, ⁊ than by the men of the Muirtoun in Brethirtoun / ⁊ by the tenaunt^e of Perte, Comyany, ⁊ Bellochwy, ⁊ the males of this terme of Quhitfonday last bigane of the baronry of Dalopye ⁊ Fetterkarne. Item, thair is awyn me iij C. and fyfye m^ok^e by the Larde of Restalryke, the q^{lk} I leif to my eldest sonne Patrik Hepburne. Item, I leif my eldest sonne fyclyk the actione that I haif agaynst Alex^r Drūmond, sonne of Crāno / þe q^{lk} James Bannatyñ hafe þe sūmond^e that I haif libellit for / And fycklyk I leif hym his airchip w^t chenze and vthar Jewelles þe quhilk I haif conqueste and þe q^{lk}^e he awe by þe lawe / I make þe said Patrik my eldest sonne assignay to þe Kirke of þe Hawche durand my tack^e that I haue of

Mayfter Nicholl Creichtoun nowe beand perfoñ of þe Hawche. Itm, I leif to Maifter William Hepburne my brother's twa dochteris to ilke ane of thaym an hundred pundſ to marye thaym. Itm, I leif to Rychard Hepburne, my brothar ſonne, xl ſi. Item, I leif to euerilk ane of my ſeruantſ ane zeiris fee quhair it ſuld be but a terme at Mertymes. Itm, I haue twa zeiris frutis of þe landſ of Duncruyf & Clochowe þe q^{lk} I leif to þe diſpoſitiõ of my executoris & ourmañ. Itm, I leif all my obligations ſyclik to þe diſpoſitiõ of my executouris and ourman þe q^{lk} ar in ane of my coſers in a blak letter poke cheyngit, except ane obligatiõ þe q^{lk} Lowry Paterſon my ſeruant has to bryng me xl ſi. fra ane Geffray, burgeſs of Brecheñ, þe q^{lk} he was actit to me for, & pat xl ſi. ſyclyk. I leif to þe diſpoſitiõ of my executoris & ourmañ / Alſua I leif to my eldeſt ſonne Patrik Hepburne ij hundred m^{rk}, þe q^{lk} Robert Lauder, þe ald larde of Baſ, my moder brother borowit fra me, & Willm Schepar his greif come for it / and þ^o wes in þis ſaid ſume ij twelf punde pennyes & all the laif golde / Itm, þ^o is awand me þe proffet of this terme of Quhitſonday laſt bypaſt of Edward Druñ and Daud Kyntorre, of my landſ at Abirdene & Buchan / Itm þ^o is awand me fowre zeir & a terme of my landſ of Quhynkerſtanyſ & Lytill Newtoun & Grundeftoun, þe q^{lk} I leif to þe diſpoſitiõ of my executouris & ourmañ, w^t all vthar maner of dettis that is awand to me at this preſent howre. Itm, I leif all my haill gudis by this that I haue diſponit & ſall name, ſa far as I haue remembrance, to my ſonnes Maifter George Hepburne, Adam Hepburne, Wilzame Hepburne, & John Hepburne, w^t an hundred pundſ to be gyvin to Margret Hepburne of the Senys my dochtir. Itm, I leif to James Syncler, þe q^{lk} allegit heir of Steintoun, all the haill gudis of Steintoun, beand now inſtantly of þe grunde, w^t my benevolence of þe ſaid landſ / gif it can no^t be gottin upõ a competent money, my airis gettand ſufficient diſcharge of þe intermettyng of þe tymes bigane / and þ^t þe forſaid James Syncler reſſaue ſa mekyll inſychte geir as is nowe preſently to be gottin; & gif þe ſaid James Syncler refusis þis, vſe zou be þe defence of þe law / Thir ar þe dettis pat I am awand, to Philip

Gybfoun of Hadingtoun, ij C. m^ok^e of borrowit money, þe q^lk I befeik 3ou be thankfully payit hym / Itm̄, I am awand to þe larde of Cobroñ ij hundred m^ok^e he fulfylling his parte of þe contracte. Itm̄, I am awand þe Larde of Wetherburñ vj or vij hundred m^ok^e or þ^rabowt, þe q^lk^e his obligacionis t̄ acquyttāces will beir. Itm̄, 3e fall gif þ^r Walter Bartilmo my fuant to pray for my sawle iij 3eris iij^{xx} merkis / Gif England destroyis our corne t̄ catall,¹ I referre þe dispositioun of my geir to my executouris t̄ ouremañ / I befeik 3ow, t̄ prayis 3ow, gif eu^o my ladde Wilzame² may be relevit owt of England, that 3e gif hym dowbill as mekill of my geir as ony of the laif of my sonnes þ^t is fre at þis tyme, becaufe I haue helpit þe laif w^t lande, t̄ he has gottin na thing, becaufe he was in trowbill. This Testament I fubfcriue w^t my hand, w^t þe fubfcriptione of þ^r Walter Bartilmo, notare public at Wachtone, þe 3eir, day, t̄ place forfaid. (And for my merchaunt, Johñ Symfoñ, I referre þ^t to my buk^e t̄ his, quhair I thynk falbe fmall difference.³)

PATRICK HEPBURN
OF WAWCH^oTON KNY^t.

Dñs Walterus Bartilmo, capellanus t̄ notarius
publicus meā manū propriā hinc pñti testamento
signū manuale cum fubfcriptione addidi.

W. B., etc.⁴

¹ During the English invasion under the Protector, the Duke of Somerset, in the following month of September 1547.

² This was evidently the person whom James Earl of Bothwell constituted heir presumptive to his Earldom and Estates, in March 1558: See No. VII.

³ This sentence is interlined after the deed had been signed.

⁴ His sign manual is not very distinct.

No. V.

PRECEPT OF SASINE BY PATRICK EARL OF BOTHWELL TO WILLIAM LEIRMONTH
OF HILL, XXII DECEMBER M.D.XLVIII.

PATRICIUS COMES DE BOTHWELL Dñs Halis, Creichtoun, Liddisdale ac Magnus Admirallus Scotie delectis nris Johanni Leirmonth, Roberto Sandelandis, et eorum cuilibet coniunctim et diuisim balliuis nris in hac parte specialiter constitutis salutem. Quia nobis clare constat et est notum q₃ quondam Johannes Leirmonth de Hill pater Wiſſmi Leirmonth latoris presentium obiit ultimo vestitus et saſitus ut de feodo ad pacem et fidem supreme Domine nre Regine de totis et integris terris de Hill cum pertineñ jaceñ in baronia nra de Halis infra vicecomitatum de Edinburgh et constabulariam de Hadingtoun. Et q₃ dictus Wiſſmus est legitimus et propinquior heres prefati quondam Johannis sui patris de dictis terris cum pertineñ Et q₃ est legitime etatis, et q₃ eodem de nobis immediate tenentur in capite prout in antiqua sua infeodatione earundem desuper habiſ latius continetur Vobis iſr et vestrum cuilibet cōiunctim et diuisim firmiter precepimus et mandamus quatenus vris presentibus indilate statum saſinam hereditariam pariter et possessionem corporalem actualem et realem totarum et integrarum prefatarum terrarum de Hill cum ptineñ dicto Wiſſmo vel suo certo attornato latori pñtiū secundum tenorem prefate carte et antique sue infeodationis earundem iusto haberi faciatis et deliberetis saluo iure cuiuslibet. Et hoc nullo modo omittatis, ad quod faciendum vobis et vestrum cuilibet coniunctim et diuisim nostram plenariam et irreuocabilem tenore pñtium committimus potestatem. In cuius rei testimonium figillum nostrum vnacum nra subscriptione manuali presentibus est appensum Apud Crechtoun vigesimo secundo die mensis Decembris Anno Dñj Millesimo

quingentesimo quadagesimo octavo, coram hiis testibus M^{ro} Jacobo Hepburn Decano Dunkeldē, Cuthberto Ramfay, Archibaldo Lindefay, et diu^{rs} aliis.

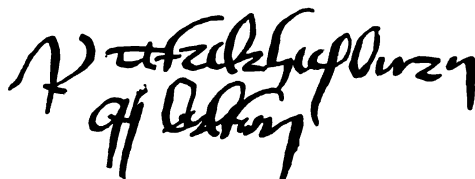
PATRIK ERLE BOTHWILE.

No. VI.

DISCHARGE AND RENUNCIATION BY PATRICK HEPBURN OF BOLTON OF THE
LANDS OF EAST CRAIG, VIII NOVEMBER M.D.L.

BE IT KEND till all men be thir pnt fres, me, PATRIK HEPBURNE OF BOLTOUN, Forfamekle as I haue fauld t analijt, be charter t fefing, to Dame Helene Hepburne, the reliēt of vmquhile Patrik Hepburne of Wauchtoun kny^t, in lyverent, and to Adam Hepburne, thair sone, his airis t assignais in fe and heretage, all and hail my half of all t fundry pe landis of Eist Crag, with the pertinent^s, liand w^t in the barony of Northberwik, constabulary of Hadingtoun, and feldome of Edinburgh, vnder ane Reuerfioun contenand ane certane sounge of money. And now, becaufe in my great necessitie, efter pe distructioun of my cornes and gudis be oure auld inymeis of Ingland, I haue reffaut ane certane competent sounge of money fra pe saidis Dame Helene and Adam, in numerit money, to help to plenneis my landis, stedingis, and place of Boltoun: Thairfoir I, be pe tennour heiroy, fellis and disponis pe said Reuerfioun to pe saidis Dame Helene and Adam hir sone, his airis and assignais, And for me, myne airis and assignais, renunceis, quitclamis, and dischargis all rycht, clame, and title of richt, pat I or pai had, hes, or may haue, in and to pe said Reuerfioun and redemptioun of pe said half landis, be vertew pairof secludand me and pame aluterlie pairfra for euir, w^tout reuocatioun. And for pe mair securitie, I haue deliuerit

pe said Reuerfioun to the saidis Dame Helene and Adam cancellat and distroyit / and neur to haue strenth nor effect in tyme cūming. In witness of þe quhilk thing to þir pfit lres, subscriuit with my hand, my seill is to hungin. At Edinburgh, þe aucht day of Nouember, the zeir of God ane thousand five hundreth 7 fifty 3eris, befor þir witneß, Johne Carkettill of Finglen, Johne Mosman, and Alexander Young, public notaris, wt op^{is} diu^{ss}.



¹ Among the Smeaton Charters there are numerous deeds in connexion with Patrick Hepburn of Bolton, and the above lands of East Craig in particular. Of these lands, Patrick Earl of Bothwell appears to have granted him a Charter, dated at Edinburgh 1st April 1544: the Charter itself has not been discovered, but on the 5th of that month, in the Instrument of Sasine, which embodies the Charter, it bears having been granted "Pro singularibus fauore et amore quos habemus erga dilectum nostrum patrum Patricium Hepburne de Boltoun, et pro suo fideli et gratuito seruicio nobis hactenus multipliciter impenso et impendendo." The original is endorsed in a contemporary hand, "Ane instrument of Sasing off the halff landis off Est Craige: For the Master of Halis." The same designation occurs in a contemporary Notarial transcript; but in the Royal Charter of Confirmation under the Great Seal, dated 26th January 1547, the word *patrum* has been omitted. On the 23d July 1545, Patrick Hepburne de Boltoun, "cum consensu et assensu domine Nicholae Hume, domine Hercis, mee sponse domine conjuncte infeodationis," granted a Charter in real warrandice of the lands of Plewland, &c., to William Cockburn de eodem, Alexander Cockburn his son and heir apparent, and Helen Hepburne his spouse. On the 4th July 1547, he gave a Precept of Sasine for infesting Sir Patrick Hepburne of Waughton and Adam Hepburne his son. On the 26th March 1549, he gave an assignation of a reversion of the East half of these lands "to his weil belouit Cousing Adam Hepburne, son lauchfull to vmquhile Patrick Hepburn of Waughton knight." Two Precepts of Sasine to the same, are dated the 8th and 23d June 1549. There are other deeds which it is unnecessary to specify.

No. VII.

CHARTER BY JAMES EARL OF BOTHWELL, CONTAINING A GRANT OF THE EARL-
DOM TO WILLIAM HEPBURN, XXV MARCH M.D.LVIII.

OMNIBUS hanc Cartam visuris vel audituris JACOBUS COMES de BOITHUILE Dominus Halis, Crechtoun et Liddisdale, ac totius regni Scotie magnus Admirallus, &c. Salutem in Domino sempiternam Noueritis nos pro singularibus fauore et amore quos habemus et gerimus erga predilectum confanguineum nostrum Wilelmum Hepburne fratrem germanum Patricii Hepburne de Wauchtoun dedisse concessisse et hac pñti carta nra confirmasse necnon dare concedere et hac pñti carta nra confirmare prefato Wilelmo Hepburne et heredibus suis masculis subscriptis Totum et integrum Comitatum nostrum de Boithuile et baroniam de Halis cum ceteris terris dominiis et baroniis dicto Comitatu annexatis cum castris turribus fortiliis villis partibus pendiculis dependentiis annexis connexis lie outfettis hospitalibus molendinis multuris forestis fyluis nemoribus piscariis hortis pomariis tenentibus tenandriis liberetentiũ seruiciis aduocationibus donationibus et jure patronatus prepositurarum collegiorum prebendarum eccliarum parochialium et capellaniarum earundem ac suis pertinentiis vnacum officiis vicecomitatum de Edinburgh, Edinburgh infra constabulariam de Hadingtoun, Berwik et balliatus de Lauderdale Ac cum officio magni Admiralli totius regni Scotie cum omnibus proficuis feodis deuoreis libertatibus eschaetis et priuilegiis hñoi officiorum et singulis suis pertinentiis creatis erectis vnitis et incorporatis in vnum liberum comitatum et baroniam, baroniam de Boithuile òi tempore affuturo nūcupandam TENENDUM et habendum totum et integrum predictum Comitatum de Boithuile et baroniam de Halis cum ceteris terris dominiis et baroniis dicto Comitatu annexatis cum

castris turribus fortificiis villis partibus pendiculis dependentiis annexis
 connexis lie outsettis hospitalibus molendinis multuris forestis fyluis nemo-
 ribus piscariis hortis pomariis tenentibus tenandriis liberetenentium seruiciis
 aduocationibus donationibus et jure patronatus prepositurarum collegiorum
 prebendarum ecclesiarum parochialium et capellaniarum earundem ac suis
 pertinentiis vnacum dictis officiis vicecomitatum de Edinburgh, Edin-
 burgh infra constabulariam de Hadingtoun, Berwik et balliatus de Lauder-
 dale. Ac cum dicto officio magni Admiralli totius regni Scotie cum omnibus
 proficiis feodis deuoreis libertatibus eschaetis et priuilegiis hmoi officiorum
 et singulis suis pertinentiis prefato Wilmo Hepburne et heredibus mas-
 culis de corpore suo legitime procreandis, quibus deficientibus Alexandro
 Hepburne de Quhitsum et heredibus suis masculis de corpore suo legitime
 procreatis seu procreandis, quibus deficientibus Patricio Hepburne de Kirk-
 andhill et heredibus masculis de corpore suo legitime procreatis seu pro-
 creandis, quibus deficientibus Jacobo Hepburne filio et heredi quondam
 Wilelmi Hepburne de Rollandstoun et heredibus masculis de corpore suo
 legitime procreatis seu procreandis, quibus deficientibus Henrico Hepburne
 de Fortoun et heredibus suis masculis de corpore suo legitimis procreatis seu
 procreandis, quibus omnibus (quod absit) deficientibus legitimis et pro-
 pinquioribus heredibus nris masculis quibuscunque plenarie reuertent de
 nobis et heredibus seu fucefforibus nris in feodo et hereditate imperpe-
 tuum per omnes rectas metas antiquas et diuinas prout jacent in lon-
 gitudine et latitudine in domibus edificiis boscis planis moris marrefiis
 viis semitis aquis stagnis riulis pratis pascuis et pasturis molendinis
 multuris et eorum sequelis aucupationibus venationibus piscationibus
 petariis turbariis carbonibus carbonariis cuniculis cuniculariis columbis
 columbariis fabrilibus brafinis breweriis et genestis fyluis nemoribus et
 virgultis lignis lapicidiis lapide et calce cum curiis et earum exitibus
 amerciamentis herezeildis bludewitis et mulierum marchetis cum coi
 pastura libere introitu et exitu ac cum omnibus aliis et singulis liber-
 tatibus commoditatibus proficiis et aiamentis ac iustis pertinentiis suis

quibuscunque tam non nominatis q̄ nominatis tam subus terra q̄ supra terram procul et prope ad predicti comitatum baroniam et officia prescripta cum singulis suis pertinentiis spectantibus seu iuste spectare valentibus quomodolibet in futurum libere quiete plenarie integre honorifice bene et in pace sine aliquo impedimento reuocatione contradictione aut obstaculo quocunque. REDDENDO inde annuatim dictus Wilelmus Hepburne ceteraque persone superius specificate et heredes sui masculi prescripti Nobis et heredibus seu successoribus nris duos denarios argenti vsualis monete regni Scotie in festo Penthecostes apud Castrum nostrum de Halis nomine albe firme si petantur tantum, Et pro predictis officiis debitam justicie ministracionem legibus supreme dñe nre Regine concordari per iura et statuta regni. Et faciendo compotum in Scaccario dicte supreme dñe nre Regine pro predictis vicecomitatibus pro omibus aliis seruiciis exactionibus questionibus seu demandis que de eisdem exigi poterunt quomodolibet vel requiri. Et nos vero prefatus Jacobus Comes de Boithuile dominus Halis et Orechtoun &c. heredes et successores nri totum et integrum predictum Comitatum de Boithuile et baroniam de Halis cum ceteris terris dominiis et baroniis dicto Comitatu annexatis cum castris turribus fortificiis villis partibus pendiculis dependentiis annexis connexis lie outsettis hospitalibus molendinis multuris forestis syluis nemoribus piscariis hortis pomariis tenentibus tenandriis libere tenentium seruiciis aduocationibus donationibus et jure patronatus prepositurarum collegiorum prebendarum ecciarum parochialium et capellaniarum earundem ac suis pertinentiis vna cum dictis officiis vicecomitatum de Edinburgh, Edinburgh infra constabulariam de Hadingtoun, Berwik et balliatus de Lauderdale. Ac cum dicto officio magni Admiralli totius regni Scotie cum omnibus proficuis feodis deuoreis libertatibus eschaetis et priuilegiis hñoi officiorum et singulis suis pertinentiis prefato Wilelmo Hepburne et heredibus masculis de corpore suo legitime procreandis, quibus deficientibus dicto Alexandro Hepburne de Quhitsum et heredibus masculis de corpore suo legitimo procreatis seu procreandis, quibus deficientibus dicto Patricio Hepburne de Kirklandhill et heredibus masculis de

corpore suo legitime procreatis seu procreandis, quibus deficientibus dicto Jacobo Hepburne filio et heredi prefati quondam Wilelmi Hepburne de Rollândstoun et heredibus masculis de corpore suo legitime procreatis seu procreandis, quibus deficientibus dicto Henrico Hepburne de Fortoun et heredibus masculis de corpore suo legitime procreatis seu procreandis, quibus omnibus (quod absit) deficientibus legitimis et propinquioribus heredibus nris masculis quibuscunque plenarie reuertē, Adeo libere et quiete in om̃ibus et per oīa forma pariter et effectū vt p̃missum est contra omnes mortales warrantizabimus acquietabimus et imperpetuum defendemus. RESERVATO tamen libero tenemento totius et integri predicti Comitatus de Boithuile et baronie de Halis cum ceteris terris dominiis et baroniis dicto Comitatu annexatis cum castris turribus fortaliciis villis partibus pendiculis dependenciis annexis connexis lie outsettis hospitalibus molendinis multuris forestis syluis nemoribus piscariis hortis pomariis tenentibus tenandriis et liberetenentium seruiciis aduocationibus donationibus et jure patronatus prepositurarum collegiorum prebendarum eccliarum parochialium et capellaniarum earundem ac suis pertinentiis vnacum dictis officiis vicecomitatum de Edinburg̃h, Edinburg̃h infra constabulariam de Hadingtoun, Berwik et balliatus de Lauderdale ac cum officio magni Admiralli totius regni Scotie cum om̃ibus proficuis feodis deuoreis libertatibus eschaetis et priuilegiis h̃m̃oi officiorum et singulis suis pertinentiis nobis antedicto Jacobo comiti de Boithuile pro toto tempore vite nre. IN CUIUS REI testimonium sigillum nrm huic p̃nti carte nre manu nra subscripte est appensum. Apud Edinburg̃h vicesimo quinto die mensis Marcij Anno Dñj millesimo quingentesimo quinquagesimo octauo, Coram hiis testibus Joanne Someruile, Waltero Murray, Roberto Wallace, seruatoribus nris familiaribus, et Joanne Mosman notario publico, cum diuersis aliis.

James Earl Bothwell

No. VIII.

NOTARIAL INSTRUMENT OF SASINE, UPON THE PRECEDING CHARTER, IN FAVOUR
OF WILLIAM HEPBURN. XXVIII MARCH M.D.LVIII.

IN DEI NOMINE AMEN per hoc prefens publicum Instrumentum cunctis pateat evidentur q̄ anno Incarnationis Dominice millesimo quingentesimo quinquagesimo octauo mensis vero Marcij die vicesimo octauo Indictione prima pontificatus sanctissimi in Christo p̄ris et domini n̄ri domini Pauli diuina prouidencia Pape Quarti anno tertio In mei notarii publici et testiū subscriptorum p̄ntia personaliter accessit honorabilis vir Georgius Hepburne filius et heres apparens Adami Hepburne de Kingstoun balliuus in hac parte nobilis et prepotentis ac magnifici domini Jacobi a Bothuile Comitis dñi Halis Crechtoun et Liddisdale ac totius regni Scotie magni Admiralli, &c. specialiter ac literatorie constitutus, ad Castrum de Haillis situatum infra baroniam eiusdem constabulariam de Hadingtoun et vicecomitatum de Edinburgh; et ibidem prouidus vir Wilelmus Hepburne frater germanus Patricii Hepburne de Wauchtoun presentauit et deliberauit dicto balliuo in hac parte quoddam saisine preceptū prefati nobilis Domini charta pergamena scriptum eius vero sigillo cera rubra albe impressa pendeñ more solito figillatum et sua manu subscriptum humiliter requirendo dictum balliuum in hac parte pro executione eiusdem facienda. Qui vero balliuus in hac parte dictum saisine preceptum a prefato Willelmo Hepburne recepit. Et h̄moi mihi notario publico subscripto perlegendum et publicandum porrexit Cuiusquidem precepti tenor sequitur et est talis: JACOBUS Comes de Bothuile dñs Halis Crechtoun et Liddisdale ac totius regni Scotie magnus Admirallus, &c. Dilectis n̄ris Georgio Hepburne filio et heredi apparenti Adami Hepburne de Kingstoun ac v̄rum cuilibet coniunctim et diuisim

balliuis nris in hac parte specialiter constitutis Salutem: Quia pro *singularibus favore et amore quos habemus et gerimus, &c.*

[*Here follows a literal copy of the preceding Charter No. VII., from line 4, page 293, to the words in line 22, page 296,] pro toto tempore vite nostre.*

SUPER quibus omnibus et singulis dictus Wilelmus Hepburne a me Notario publico subscripto sibi fieri petiit hoc pñs publicum instrumentum seu publica instrumenta vnum vel plura, Acta erant hec apud dictum Castrum de Halis, horam circiter nonam ante meridiem, Anno mense die indictione et pontificatu prescriptis, pñtibus ibidem Wilelmo Lermouth in Crawchaw, Joanne Arnot in Lyntoun, Roberto Hommill famulo dicti Wilelmi, et domino Thoma Quhit vicario de Prestoun, cum diuersis aliis testibus ad premissa vocatis pariterq, rogatis et requisitis.

Et ego vero JOANNES MOSMAN Glasgueñ dyocefis publicus sacra autoritate aplice notarius pmissis omibus et singulis dum sic vt premititur dicerentur et fierent vna cum prenoñatis testibus personaliter interfui Ea q, oia ⁊ singula sic fieri et dici vidi sciui et audiui ac in notam sumpsi pro inde hoc pñs publicum instrumentum manu alterius fideliter scriptum confeci signoq, et noie meo solitis et consuetis signaui in fidem et testimonium veritatis oim et singulorum pmissorum rogatus et requisitus.



Joannes mosman notarius

No. IX.

CHARTER OF REVERSION BY WILLIAM HEPBURN OF THE GRANT MADE IN HIS
FAVOUR OF THE EARLDOM OF BOTHWELL, XXVIII MARCH M.D.LVIII.

TILL ALL AND SINDRY quhais knowlege thir pñt lres fal cum, WILLIAME HEPBURNE, broder germane to Patrik Hepburne of Wauchton, greting in God euirlesting, Witt 3oure vniuersiteis, that albeit ane noble and potent Lord James Erle Boithuile, Lord Halis, Crechtoun, and Liddisdale, greit Admirale of Scotland, &c., hes, for the fingular luffe and favour quhilkis he hes and beris towart me, inest me heretablie be charter and fefing, and the airis maill lauchfullie to be gottin of my body; quhilkis failzeand, Alexander Hepburne of Quhitsuim, and his airis maill lauchfullie gottin or to be gottin of his body; quhilkis failzeand, Patrik Hepburne of Kirklandhill, and his airis maill lauchfullie gottin or to be gottin of his body; quhilkis failzeand, James Hepburne, sone and aire of vmquhile William Hepburne of Rollandstoun, and his airis maill lauchfullie gottin or to be gottin of his body; quhilkis failzeand, Henry Hepburne of Fortoun, and his airis maill lauchfullie gottin or to be gottin of his body; quhilkis all failzeand, as God forbeit, returnand agane to the said noble Lordis nerrest and lauchfull airis maill quhatfumeuir, In all and hail his Erledome of Boithuile and Barony of Halis, with the remanent landis, lordschippis, and baronyis annex to the said Erledome, with castellis, touris, fortalicis, villagis, partis, pendiculis, dependences, annexis, connexis, outfettis, hospitalis, mylnis, multuris, forestis, woddis, schawis, fischeingis, zardis, orchardis, tennentis, tenandrijs, and seruice of fre tennentis, aduocationis, donationis, and rycht of patronage of prouestreis, collegis, prebendarijs, parochie kirkis, and chaipplanryis of the samyn, and thair pertinentis; Togidder with his offices of schireffchip of

Edinburgh, Edinburgh, within the constabulary of Hadingtoun, Berwik, and bailliary of Lauderdale, and the office of greit admiralschip of the haill realme of Scotland, with all proffettis, feis, dewiteis, liberteis, eschetis, and priuilegis of the saidis offices, and all thair pertinentis, creatit, erectit, vnitit, and incorporatit in ane fre Erledome and Barony, to be callit the Barony of Boithuile in all tymes to cum, as at mair lenth is contenit in his Charter and infestment maid and gevin to me thairupoun. NEUIRTHELES, I will and grantis, and alswa lelelie and trewlie be the faith and treuth in my body, bindis and oblis me, my airis, and assignais to the said noble Lord, and his airis maill lauchfullie to be gottin of his body, That quhat tyme or how fone it fal happin him or thame, vpoun ane day, betuix the fone rising and ganging to of that ilk, untot he College Kirk of Crechtoun, and thair, vpoun the hie altar of the samyn, to content and pay to me, my airis, or assignais, the soume of twenty pundis gude and vsuale money of Scotland haifand cours of payment for the tyme, That than incontinent efter the payment of the said soume of twenty pundis, swa to be payit and deliuerit as said is, I, my airis and assignais fall renunce purelie and sempleie resigne, quit-clame, ouregif, and frelie deliuer agane to the said noble Lord, and his airis maill foirsaid, All and haill the said Erledome of Boithuile and Barony of Halis, with the remanent landis, lordschippis, and baronyis annex to the said Erledome, with castellis, touris, fortalicis, villagis, partis, pendiculis, dependences, annexis, connexis, outfettis, hospitalis, mylnis, multuris, forestis, woddis, schawis, fischeingis, zardis, orchardis, tennentis, tenandrijs, and seruice of fre tennentis of the samyn, aduocationis, donationis, and rycht of patronage of prouestreis, collegis, prebendrijs, paroche kirkis, and chaplanreis thairof, and thair pertinentis; Togidder with the saidis offices of schireffchip of Edinburgh, Edinburgh, within the constabulary of Hadingtoun, Berwik, and bailliary of Lauderdaill, and the office of greit Admiralschip of the haill realme of Scotland, with all proffettis, feis, dewiteis, liberteis, eschetis, and priuilegis of the said offices, and all thair pertinentis, with charter, fefing, and all vther eidentis maid and gevin to me

thairupoun ; And with all rycht, and title of rycht, clame, propirte, and possessioun heritable quhilkis in the said Erledome, barony, and offices foir-faidis, with thair pertinentis, I haue had, hes, or onywyf may haue, for me, my airis, or assignais, be ony maner of way, in tyme to cum, and that I, my airis, nor assignais fall nocht absent ws fra the reffaving of the said soume of twenty pundis, I or thai being lauchfullie warnit thairto be the said Noble Lord, or his airis maill foirfaidis, owther perfonalie or at oure duelling place for the tyme, vpoun aucht dayis warning of befoir, in presens of ane Notar and witneß, as efferis : And gif I or thai fraudfullie or wilfullie absentis ws, as God forbeit we do, we being warnit as said is, Than it salbe leiffum to the said Noble Lord, and his airis maill foirfaidis, to haue full regres and ingres in and to the propirte and possessioun heritable of all and haill the said Erledome and barony foirfaid, with the remanent landis, lordschippis, and baronyis annex to the said Erledome, with castellis, touris, fortalices, villagis, partis, pendiculis, dependences, annexis, connexis, outfettis, hospitalis, mylnis, multuris, forestis, woddis, schawis, fischeingis, zardis, orchardis, tennentis, tenandrijs, seruice of fre tennentis, aduocationis, donationis, and rycht of patronage of prouestreis, collegis, prebendrijs, parochie kirkis, and chaplanreis of the samyn, and thair pertinentis ; Togidder with the saidis offices of schireffchip of Edinburgh, Edinburgh within the constabulary of Hadingtoun, Berwik, bailliary of Lauderdale, and the office of great Admiraleschip of the haill realme of Scotland, with all proffettis, feis, dewiteis, liberteis, eschetis, and priuilegis of the saidis offices, and all thair pertinentis, like as he had of the samyn befoir the Infesting of me thairintill, but ony proceß of law, impediment, or obstakle quhatfumeur : NEVIRTHELES, the said soume of twenty pundis, to the vtilite and proffet of me, my airis, and assignais, vnder sicker keping, to be put in the handis of the Provest of Crechtoun quhilk for the tyme salbe, or ony vther honest responfale man, all cauillatioun, fraude, and gile fecludit and awayput. IN WITNES of the quhilk thing to thir present letters, subscriuit with my hand, my seill is tohingin, At Edinburgh, the

twenty aucht day of Marche, the 3ere of God ane thousand five hundreth fifty aucht 3eris,¹ Befoir thir witneß, Johnne Someruile, Walter Murray, Robert Wallace, familiar feruitouris to the said Noble Lord, and Johnne Mofman, public notar, with vtheris diuerß.

William Hepburn

No. X.

PRECEPT OF SASINE BY AGNES, LADY MORHAM, COUNTESS OF BOTHWELL.

1. DECEMBRIS M.D.LXIV.²

DOMINA AGNES SINCLARE, COMITISSA DE BOITHUILE, Relicta quondam nobilis et prepotentis dñi Patricii Comitis de Boithuile dñj Halis et Creichtoun, etc. necnon sufficientem potestatem et cōmissionem habens de nobili et potente dño Jacobo nunc Comite de Boithuile meo filio, omnes et singulos vassallos et liberetenentes terrarum fuarum de fe immediate tenē infra regnū Scotie iaceñ durante eius absentia ex eodem in eisdem intrare infeodare et

¹ The seal bears, on a cheveron, between three mullets, a rose inter two lions, with this inscription,—“ S. VILLELMI HABIRVN.”—This William Hepburn was evidently “ the lad,” who, at the time of his father Sir Patrick Hepburn of Wauchton making his settlement, in August 1547 (see page 287), was detained in England as a captive or hostage.

² A Precept of Clare Constat, in nearly similar terms, was granted by Agnes Lady Morham in the name of her son James Earl of Bothwell, of the lands of Hill to Margaret and Katharine Leirmonth as the legitimate daughters of the late William Leirmonth de Hill, signed and dated at Moram, the penult of November 1564.

resignationes earūdem fuscipere prout in dicta cōmissione mihi desuper confectū latius continetur Dilectis meis Adamo Hepbrwun de Smetoun, ac vřm cuilibet coniunctim et diuifim balliuis meis in hac parte spēaliter constitutis Salutem. Quia dedi et concessi dilecto meo Joanni Leirmonth in Quhitkirk heredibus suis et assignatis totas et integras terras de Hill cum suis pertineñ jaceñ in baronia de Halis infra vicecomitatum de Edinbur^t et constabulariam de Hadingtoun Quequidem terre cum suis pertineñ fuerunt Mergarete et Katherine Leirmonthis duarum filiarum et heredum quondam Willm^j Leirmonth de Hill, earum patris perprius hereditarie Et quas ipse non vi aut metu ducte nec errore lapsē seu dolo circumvente, sed suis meris puris liberis et spontaneis voluntatibus per fustim et baculum in manibus meis tanquam in manibus dicti Jacobi Comitis de Boithuile dñj sui superioris earundem eius pñatem ad hñoi habēñ vt predicatur p'mo die Decēbris apud Moram sursum reddiderunt pureq, et simp'r resignaverunt, ac totum ius et clameum proprietatem et possessionem que seu quas in et ad easdem habuerunt habent seu quouismodo habere poterunt in futurum renūciando eisdem pro se et heredibus suis imperpetuū in fauorem dicti Joannis heredum fuorum et assignatorum prout in Instrumento resignationis desuper confectū latius continetur. Vobis igitur precipio et mando qñs visis pñtibus indelate statim facinam hereditariam et possessionem corporalem actualem et realem totarum et integrarum pñtarum terrarum de Hill cum suis pertineñ vt predicatur iaceñ prenominato Joanni Leirmonth vel suo certo actornato hri pñtium per terre et lapidis fundi earundem vt morē est traditionem secundum tenorem mee vel dicti dñi superioris carte sibi desuper conficiende iuste haberi faciatis et deliberetis sine dilatione, Ad quod faciendum vobis et vřm cuilibet coniunctim et diuifim balliuis meis in hac parte antedictis meam plenariam et irreuocabilem tenore pñtium cōmitto pñtatem. In cuius rei testimonium pñtibus manu mea subscriptū sigillum meum proprium est appensum Apud Moram primo die mensis Decembris Anno Dñj millesimo quingentesimo sexagesimo quarto, coram hiis testibus Vřmo Edmestoun S^reff deput de Hadingtoun Valtero Murray Dno

Dauide Dowglas Magro Jacobo Sandeland Johanne Skowgall cum diu⁹ aliis.

Agnes Lady Morham

The Testament Testamentar and Inventar of the gudis, geir, soumes of money, and dettis pertaining to umquhile ane nobill and michtie Lady, Dame AGNES SINCLARE, COUNTESS OF BOTHWELL and LADY OF MOIRHAME, the tyme of hir deceis, quha deceist in the moneth of the zeir of God J^m v^o lxxij zeirs, faithfullie maid and gevin up be hir awne mouth, at Morehame the xxj day of Marche, the zeir of God foirsaid, befor thir witnesses, Mr Thomas Hepburne, James Mosman, Robert Martine, and Patrik Edingtoun zoungar, with utheris diuers.

In the first, &c.

Summa of the Inventar,	L.597 13 4
... Dettis awand be the deid,	373 0 0

Restis of frie geir, the dettis deducit,	L.224 13 4
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Quotta, L.11, 4s.—Followis the Legacie and Latter will.

Vpoun the xxj day of Marche, the zeir of God J^m v^o lxxij zeirs. The quhilk day ane nobill and michtie ladie, dame Agnes Sinclare, Countes of Bothwell and Lady of Morehame, being seik in her person, and of perfynt mind, maid hir Testament as efter followis: In the first, The said nobill Lady maid, constitut, and ordanit Jane Hepburne, Maistres of Caithnes, hir dochter, hir onlie executrix and intromissatrix with hir gudis. Item, the said nobill Lady left hir haill gudis, the saidis dettis beand payit, to Williame Hepburne, sone naturall to James Erle Bothuell. This Testament and Latter will, maid at Morehame, day, zeir, and moneth abouewritten, before thir witnesses, Mr Thomas Hepburne, James Mosman, Robert Merteine, and Patrik Edingtoun younger, with diuers vthers. (*Sic subscribitur*) Ita est Joannes Quhit, notarius publicus, nunc per Dominos Consilii admissus, secundum Acta Parlamen., in fidem promissorum subscript. teste manu propria.

We, Maisteris Robert Maitland, Dene of Aberdene; Eduard Henrisone, doctor in the laws; Clement Litill and Alexander Sym, Aduocats, Commissaris of Edinburgh, &c., ratifies, &c. (Register of Confirmed Testaments.)

No. XI.

THE INVENTOUR OF REUERSIONIS AND VTHAIRIS WRITTINGIS PERTENING TO
JAMES ERLE OF BOITHUILE, GEVIN IN KEIPING TO . . (blank.)

IN PRIMIS, ane Reuerfioun maid be Johnne Carkettill his eldest sone and Marioun Hepburne his spous to Patrik Erle Boithuile, &c., vpoun xvijj housband landis of Markill, contenand the sounge of foure thousand lib. five hundreth merkis, and xiiij zeris takis efter the lowfing *De data* at Edinburgh the xiiij day of December Anno etc. lxj. 3eiris. *Nota*, This Reuerfioun was agmentit and renewit to James Erle Boithuile, etc., according to ane obligation here present.

Item, ane Reuerfioun maid be the said Johnne and his sone, to James Erle Boithuile, vpoun aucht husband landis of Traprene, contenand the sounge of ane thousand lib. and thre zeris takis efter the lowfing *De data* at Ed^r the last day of October etc. lvijj zeris.

Item, ane Reuerfioun gevin be Alex^r King to James Erle Boithuile of aucht husband land^r of the toune and landis of Traprene contenand the sounge of twa thousand four hundre^t m^okis, and fyve zeris tak efter the lowfing *De data* at Ed^r the first of December A^o etc. lxj zeris.

Item, ane Reuerfioun maid be Agnes Lady Moram to James Erle Boithuile of the corne myln of Furd, contenand the sounge of ane thousand merkis, and thre zeris tak efter the lowfing *De data* at Ed^r the thrid of September Anno etc. lxij zeris.

Item, ane Reuerfioun maid be James Barroun to James Erle Boithuile of þe landis of Thorny dickis, contenand þe sounge of foure thousand foure hundre^t m^okis *De data* at Ed^r the xvij day of October A^o etc. lxij zeris.

Item, ane Reuerfioun maid be Patrik Hepburn of Kirklandhill and Helene Hāmyltoun his spous to James Erle Boithuile vpon xiiij husband

landis and ane coit land of the landis of Quhitfum, contenand the fomme of aucht hundre^t m^okis and ix zeris takis eftir the lowfing *De data* at Kirklandhill the xx day of Januar Anno etc. lxij 3er^t.

Item, ane Reuerfioun maid be David Kyntor to James Erle Boithuile vpon the landis of Wogry of ane annuellrent of xlv ti. contenand the fomme of four hundre^t and fyfty fib. *De data* at Creichton the v day of September A^o etc. lxij 3eris.

Item, ane Reuerfioun maid be Adam Hepburn of Smetoun, on papir, to James Erle Boithuile vpon four husband landis in Trapren, contenand the fomme of xxvj^m m^okis *De data* at Creichtoun the x day of Aprile A^o etc. lx 3eris.

Nota.—Item, ane Reuerfioun maid be Johne Sinclair in Erlefioun to James Erle Boithuile, vpoun ane m^okland of Ardouth, ane m^okland of Barneleyis, ane mark land of Ovir Knokgreis, and ane haill mark land of Bairquharne, contenand the fomme of twa hundre^t and xx m^ok^t xvi 3eris takis eftir the lowfing *De data* etc., no^t daittit nor tuke effect, as we vnderftand, becaus money was no^t deliuerit t^t na evident^t p^ovpoun.

Item, ane Obligatioun of Maister Michell Balfourris, obliffand him to gif the haill landis of the Abbacy of Melroiff in few to James Erle Boithuile and his airis, with sic instant profittis 3erelie of the faid benefice as is contenit at mair lenth in the famin *De data* at Ed^r the thrid day of Aprill Anno etc. lxj 3eris.

Item, ane Band maid be William Lauder of Haltoun to James Erle Boithuile, &c. *De data* at Creichtoun, the xxiiij day of December, Anno etc. lix 3eris.

Item, ane Instrument of the reffait of Ankrome be Johnne Somerwell, in name and behalf of James Erle Boithuile ffra Andro Ker *De data* at Ankrome the first of December A^o, etc. lxj 3eris.

Item, ane Writting vnder pe Subfcription of Johnne Mofman, quhair he hes in keiping the euidentis vnderwrittin, that is to fay, ane Reuerfioun of Prendirgaift maid be William Hume. Item, ane Reuerfioun of Peilwawis maid

be Patrik Hepburne; the Reuerfion of Mowis land in Quhittinghame; and the new Reuerfion maid be James Hepburn of the land of Furd *De data* at Edr the xxij of Februar A° lxiij 3erf.

Item, ane Discharge of Maiftres Jane Hepburn to James Erle Boithuile, etc. of þe fowme of twa thoufand m^ok^o *De data* Anno etc., lxiij 3eris.

Item, Instrument of Redemptioun of the landis of Trapren procura-tioun and warning þ^oupon.

THE quhilkis Reuerfionis and Writtingis contenit in this pñt Inventour I, JANE HEPBURN, LADY OF WEDDERBURN,¹ grant me til haue reffaut in keiping, to be furcūmand to JAMES ERLE BOITHUILE, his airis and assignais, And be the teno^r heiroy obliſſ me, my airis, executo^rs, and assignais hereto, be the faith and treuth in oure bodyis, To rander agane the faidis Reuerfionis and Writtingis ynhurte or cancellat To the faid Erle, his airis or assignais, or ony vthairis havand his speciall mandment in writ, within foure hourf nixt eftir we be requirit thairto, bot longare delay, fraude, or gile. In witnes heiroy I haue ſubſcriuit this pñt obligatioun w^t my hand, At Powlwart, the xxviij day of Februar, the 3ere of God J^m v^o lxiij 3eris, befoir thir witnes, Johne Hamiltoun my ſpows,² Maſter Dauid Chalmer, Alexander Borrofedill, with wth^ois diuers.

Jane Hepburn
David Wedderburn

¹ This Jane Hepburn had to her first husband George Hume of Wedderburn, who was killed at Pinkie, during the English invasion in September 1547, and having no issue, he was succeeded by his brother David Hume. Among the Smeaton Charters, there is a Decreet-Arbitral by Maisters David Borthwik of Lochhill and John Spens of Condy, Advocates, in a case betwixt "Dauid Hume of Wedderburn, on the one part, and Johane Hepburne, relict of vñq^l George Hume of Wedderburn, and John Hammiltoun of Ryisholme, now hir spouse, on the other part." Subscribed at Edinburgh, penult March 1557.

² "Jane Hepburne, auld Lady Wedderburne, relict of umquhile John Hamiltoun of Polwart," died 18th April 1586.—(Register of Confirmed Testaments.)

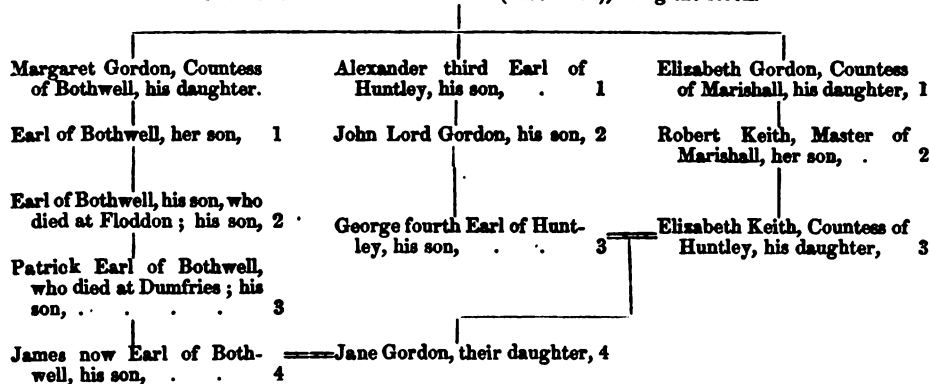
At Edinburgh, upon the xxx day of October, Sir Walter Robertfoune, alias Douny, grantis me to haue rafeuit thir Reuerfionis, and outhir eidentis aboue vritting, fra Jein Hepburne, Lady Vaderburne, at the commaund of James Erile Boduell, befoir witnes, Vilzeame Douglas, Robert Dixfoune, Vilzeame Cobroune of that elk younger, ⁊ Maifter Jorge Hapbroune, Perfoune of Hauch.¹

SIR WALTER ROBERTSONE,
Wy^t my hand, etc.

¹ George Hepburn, Canon of the Collegiate church of Dunbar, obtained the Parsonage of Hauch, on the resignation of Nicholas Creighton, in May 1546. He was the natural son of Sir Patrick Hepburn of Wauchton, and was alive in 1585.

In the Appendix to Tytler's Inquiry, vol. ii., p. 401, there is printed an original paper, dated 21 February 1565-6, connected with the Earl of Bothwell's Divorce, in which the degrees of consanguinity, both on the father and mother's side, are thus deduced. But of Margaret, daughter of the second Earl of Huntley, no notice occurs in the Peerages. If the following table be correct, it would indicate that her husband must have been the son of Patrick first Lord Hailes. It was however no unusual thing to make collusive statements, to gain some end; and in the present instance this appears to have been done.

GEORGE SECOND EARL OF HUNTLEY (1479-1501), being the stock.



No. XII.

MISCELLANEOUS EXTRACTS CHIEFLY FROM THE PUBLIC RECORDS.

24 Januarij 1484-5.—The action and cause perfeuit be Elene Wallace, the spous of sum tyme Patric Lord Halis, agane Patric now Lord Halis, anent certane gudis clamyt be hir for the thrid of hir said husbandis gudis, is continuewit, &c. And becaus the said Lord Halis allegis he bocht the gudis that he intromittet with, &c.

(Acta Dominorum Concilii, p. 98*.)

A precept of a charter maid to Patrik Hepburne sone to Alifoun Forest, and til his airis, of all and fundry the landis of the half of the barony of Litil Kettilstone, with the principale mansion and maner of the samyn, with its pertinentis, liand within the Sherisdome of Linlithgow, and of xxviiij schilling worth of the landis of the Plane, with the pertinentis liand in the barony of the Plane within the Sherisdome of Striueling, The quhilkis landis of the half of the barony of Littil Kettilstone with the principale mansion, &c., wer Henry For^rteris of Pettyntoskane and Agnes Forest his spous in coniunct feftment heretably, And resignit be thare lauchful procuraturis in oure Souerane Lordis handis At Edinburgh, &c. And the quhilkis xxviijs worth of the landis of the Plane, wer the said Henryis heretably, And resignit be his lauchfull procuratoris in our said Souerane Lordis handis, At Edinburgh, &c. And gevin be the Kingis Hienes to the said Patrik and his airis lauchfully to be gottin of his body, quhilkis failzeand to Alexander Hepburn his broder and his airis lauchfully to be gottin of his body / quhilkis failzeand to Johnne Hepburne brother to the said Patrik and Alexander, and his airis lauchfully to be gottin of his body / quhilkis falezeand to Adam Hepburne thare broder and his airis lauchfully to be gottin

of his body / quhilkis falezeand to George Hepburne thare broder and til his airis lauchfully to be gottin of his body / quhilkis al brether and personis forefaid falezeand to Alexander Hepburne of Quhitsum and his airis quhatfumeuer, &c. *De data* At Edinburgh the xvij day of Junij the 3er of God v° 3° Et Regni Regis xvj°.

Per Signet.

(Registrum Secreti Sigilli, fol. 11.)

Quarto Maij Anno [M.] V°. ix°.—Comperit Adam Erle Boithuile and grantit him out w^t the age that requirit to haf a tutour and neuirtheles becaus he is nocht zit of perfite age of xxj zere, he desirrit the said Lordis to geif to him venerable faderis in God John Prioure of Sanctandrois, George Abbot of Arbroith, and Adam Hepburne of Cragis curatouris to him *ad lites et negotia in forma Juris* / The quhilk desire the said Lordis thocht reffonable, and therfor gaif to him the saidis venerable Faderis and Adam conjunctlie and feueralie curatouris in forme forsaid ⁊ interponit thair decrete thairuppon, and caufit thame to be fuorne in jugement to the detfull execution of the said office.

(Acta Dominorum Concilii, vol. xx. 1508, 1509, fol. 183.)

xxvij Julij [1509].—Master James Hepburne forespekar for Master [Sir?] Adam Hepburne, in a case respecting the seruice of a brief.

[*The same day*].—Anent the Summondis maid at the instance of our Souerane Lord and Adame Hepburne of Cragis, curatour to Adame Erle Boithuile, ⁊ assigney to umquhile Patrik Erle Boithuile, quhom God affoilzie, to the malys and profyttis of the landis of Kirkurde quhill the entre of the air thairto, Agane Johne of Douglas and Patrik Donald, pretendit Sherif deputis, &c.

(Acta, &c. ib., fol. 244.)

A LETTER of licence in dowbill forme maid to Adame Erle Boithuile to

analy his landis of Walestone ⁊ Elgifrigill w^t thair pertinentis liand within the Sherifdome of Lanark, in all or in part, in the common forme, ⁊c. At Edin^r. the xxvij day October the 3er of God M^o.v^o ⁊ ix 3eris, ⁊ of the Kingis regne the xxij 3ere. Delib[']at['] Ade Hepburne de Cragis.

Subscript. pr Do^m. Regem.
(Registrum Secreti Sigilli, f. 87.)

Decimo septimo Septembris [1524].—Anent the Supplicatioune gevin in in the name and behalf of Patrik Hepburne Maister Halis, aganis Maister Patrik Hepburne, that quhare he is lauchfull tutour to his brodir sone Patrik Erle Bothuile, and has raifit ane breif of tutorie quhilk is proclamit to be feruit in Hadingtoun apoune Monunday the xix day of September instant, neuirthelefs the said Maister Patrik, as he is informit, has . . . [Here the page ends, and the next leaf of the Register is lost.]

(Acta Dominorum Concilii, vol. xxxiv. 1523–1524.)

1542–3, 14 Februar.—Actioun betuix the Abbot of Newbottle and the Maister of Haillis, quha allegit the Abbot had exonerat, &c.; and that the said discharge, under the Abbottis seall and subscriptioun manual, being in his place of Bowtoun quhen it was brunt, The said discharge was brunt, and perished thair, with many uther writtis, as he offered to prove, &c. The Lordis gave him ane time to prove the same *per predictos testes*.

(Acta Dominorum Concilii.)

ASSEDATION by John Archbishop of St Andrews to Dame Agnes Sinclair, Lady Morham, of the teynd schevis of the landis of Nether Haillis, Trapren, Half Houftoun, and Gurley Bank, being pairt of the patrimony of our Archbisshopryk of Sanct Androis, during the space of xix years, for the sum of 800 merkis, debursit to ws in our urgent necessitie in these trublous tymis, beginning at the term of Lambes, 1st of August 1563.

(Register of Charters of the Church-Lands, &c. of the Archbishoprick of St Andrews, fol. 54.)

OURE Souerane Lord Ordainis ane charter of confirmatioun to be maid vnder the Grite Seill in the mair forme Confirmand &c. Thf charter of alienatioun and venditioun therin contenit, maid be umq^e Patrik Hepburne Lord Haillis to umq^e Patrik Hepburne his sone, and his airis maill lauchfullie to be gottin of his body / quhilkis failzeing to George Hepburne, his brother-german, and his airis maill lauchfullie to be gottin of his body, quhilkis failzeing to his nerrest and lauchfull airis quhatsumever, Of all and sundrie the landis of Benestoun, extending to twa husband landis, w^t ane pece land callit the reid abbayes croft, with tennandis tennandriis seruice of fre tennentis of the same, and all thair pertinentis lyand in the toun and territorie of Benestoun barronie of Hailis, wⁱⁿ the fefdome of Ed^r and constabularie of Hadingtoun, To be haldin of the said umq^e Lord and his airis in fee and heretage and fre blanche for ane penney, Together with the instrument of Seifing gevin to the said umq^e Patrik conforme thairto, And all vtheris pointis ar^{is} etc. Saulffand etc. At Dalkeyth, the penult day of April 1586.

Compo^o——x^{ti}

(Register of Signatouris, &c., vol. ix.)

A GODLY EXHORTATION
AS SET FORTH
BY JOHN ARCHBISHOP OF ST ANDREWS,
COMMONLY STYLED
“THE TWOPENNY FAITH.”
M.D.LIX.

VOL. III.

R R

THE Provincial Council or Synod, which was held at Edinburgh on the 26th of January 1551-2, authorised the publication of "THE CATECHISME," in the vernacular tongue, which contains an Exposition of the Commandments, the Creed, and the Lord's Prayer, to be used solely by the Clergy for reading to the people, "when there cummis na preachour to thame to schaw thame the word of God."¹ This well-known work was printed at St Andrews, 29th of August 1552, at the expense and in the name of John Hamilton, Archbishop of St Andrews. It is a quarto volume of 220 leaves, and has strangely been confounded by Spottiswood² and other writers with a small treatise which was issued by authority of the Provincial Synod, in March 1558-9, and was called by the people in derision *The Two-penny Faith*.³ This name, it is said, "was derived from Archbishop Hamilton allowing the pedlars to take two pennies for their pains in hawking it abroad." The sum of two pence, or the sixth part of one shilling Scottish money, was equivalent to the sixth part of one penny sterling.

Of this treatise no fragment was supposed to be extant; but a copy was recently discovered by the Rev. George A. Griffin, of New Abbey, in a volume of miscellaneous tracts belonging to the Rev. Henry Small, Catholic Priest, Dumfries; and he most obligingly obtained for the Editor the use of the volume, with permission to reprint this tract. The original edition is comprised in four pages, and is here reprinted in facsimile. The copy is partially

¹ See Wilkins's *Concilia*, vol. iv., p. 72, Art. 16. "Circa editionem et publicationem Catechismi, in gratiam virorum Ecclesiasticorum curam animarum gerentium." The prohibition of allowing any of the *multa exemplaria* to come into the hands of the laity, is sufficiently explicit; the Canon providing, as Lord Hailes observes, that the book should not be circulated among the people, but be read to them *Omnibus Dominicis et festivis diebus*. (Historical Memorials concerning the Provincial Councils of the Scottish Clergy.)

² Spottiswood's *History*, vol. i., p. 182. Keith's *History*, vol. i., pp. 5, 149.

³ Knox's *Works*, vol. i., p. 291. Calderwood's *History*, vol. i., p. 423.

mutilated, but with Mr Griffin's aid the deficiencies have been supplied by the words enclosed by brackets. That this Exhortation was the treatise alluded to, seems very evident. The types as clearly indicate that it came from the press of John Scott, who had exercised the art of printing for many years, sometimes at St Andrews, but chiefly in Edinburgh. Even as a typographical curiosity it was worth preserving; but its interest is much enhanced, when we consider that it exhibits one of the well-meant efforts (the *quædam catholicæ exhortationes et succinctæ declarationes*) on the part of the Provincial Council to stimulate the Roman Catholic clergy of the time to a more faithful and consistent discharge of their duties, and to check the progress of the Reformed opinions at this critical period.

Bishop Lesley refers to certain Articles presented to the Queen Regent "be the Lords and Barons," which she sent to this Council by the Earl of Huntley: the first of these contained a request, "That the Commone prayers should be permitted to be used publiclie in the parryshe kirkis, and the ministratioun of the Sacramentis, in the Inglis tounge."¹ We may also notice, as an important document connected with the progress of the Reformation in Scotland, the "Remonstrance to the Prelates and other Churchmen assembled in the Provincial Council holden at Edinburgh in March and April A.D. M.D.LIX., craving redress of several grievances complained of in the Ecclesiastical Administration of Scotland." No names are affixed to this Remonstrance, but it apparently proceeded from persons of distinction, who were anxious for the preservation of the existing Church. Along with the "Acta Concilii Provincialis totius Cleri Scotici utriusque Provinciæ habiti Edinburgi, A.D. 1559," it is published by Dr Wilkins in his great work, "Concilia Magnæ Britanniæ et Hiberniæ."²

¹ Hist. of Scotland, p. 270, published by the Bannatyne Club.

² Vol. iv., p. 207, Lond. 1737, 4 vols. folio.

Ane Godlie exhorta-

[thoun maid a]nd sett furth be the maist Reuerende

[Father in God] Johane Archbischope of Sanctandrou.

[Primate of] Scotland, Legat, &c. With the ayde of

[the] Provincial counsaile, holdin at Edinburgh the

[second] yair of Marche, the yair of Goddane thousand

[fiftie] hundredth fiftie aucht yairis, to all Vicaris,

[Curatis, &] thairis consecrate Preistis lauch-

[full] Ministers of the Sacrament of the Al-

[tar]e to be rev and schawin be thame to the

Christiane peple, quhen ony ar to resaue

the said Blyssit Sacrament. &c.



Cum Privilegio Reginali.



EVOTE Christiane men and women,
quha at this present tyme ar to resaue
the blyssit Sacrament of the altare.

Wytte ze persittlie, and beleue ze fermlic,
that vnder the forme of bread, quhilk I am now
presentlie to minister to zow, is contenit trewlie, &
realie, our Saluour Jesus Christe, heale in god-
hede and manhede, that is, baith his bodie, and
blude, and Saule, consunit with his Godhede,
quha in his mortale lyue, offerit hym self upon the
Croce to the father of heuin, ane acceptable Sa-
crifice, for our redemptioun, fra the Drupill, syn,
eternall dede, and hell. And now in his immor-
tall lyfe, sittis at the ryght hand of the Eternal Fa-
ther in heuin, quhame in this blyssit Sacrament,
inuisiblie contenit vnder the forme of breade, I am

to minister to you. And wit ye, [that receive this]
 blessed Sacrament worthilie, ye receive [the blessed]
 bodie and blude of our Saluour Chrest for the
 fude of your soules, to strenghten you against all mor-
 tall and deidlie synnis, and power of [the Devil],
 to make you starke in your faith towardes your
 God, to get his grace largelie sent to you, to kepe
 up your hope vnto the mercede and glorie of [God, to]
 kindle your hartis, and make you ardent in [to the]
 love of God, and of your nychtbour, to cause you
 haue quick remembrance of the blessed Passioun of
 our Saluour, and redemptour, Jesus Chrest,
 wherfor he tholde for you. Wherthrough in leuyng
 faith, ye maye get and obtene remission of your
 synnis, and be reconciled to the Father of heuyn,
 and also be deliuered fra eternale damnation,
 and brought to eternale lyfe & glorie. ¶ Attoure,
 wytt ye Christianse & faithfull Peple, that wher
 receive worthilie this blessed Sacrament, are vnit
 and coniunct to the mysticall bodie of our Saluour
 Jesus Chrest: that is to the Sanctis of heuyn,
 and to thame that haue the grace of God in the erd,
 and make quick and leuyng members of the samyn
 mysticall bodie. Wherfor I make hertlie for y^e make
 tender love, reuerence, and mercede of Chrest Jesus
 our Saluour, exhort you all christiane peple, that
 ye receive this precious Sacrament, with perfyte
 faith, beleuyng fermlie that Chrest Jesus your sal-
 uour tholde passioun, and deid vpon the Croce for

[your synnis. In reme]mbrance quhareof, with
 [a perfyte con]science, ze aucht to ressaue the
 [sacrament: and becau]se this Sacrament, is the Sa-
 [crament of lufe] & concorde, se that nane of zow
 [with despyte] in your herte, presume to cum to
 [this blyssit sacrament], bot as ze walde be forgeuin of
 [your synnes, and re]saue in vnitie with God, swa
 [aucht ze to forge]ue vther. And because ze
 [desyre to prepare y]our self to ressaue sa preci-
 [ous a gift, raise yo]ur hertis to God, and als
 [with grete dolour] praye him in Iesus Christis na-
 [me], and for the merit of his Blyssit Passioun, to
 mak zow worthy be his grace thairto. For and ze re-
 saue þe sacrament vnworthelie: it wyll be to your dam-
 nation. And because Cursing cuttis, and drup-
 dis the Cursit fra the haly congregatioun off the
 Kirk of God, and deidly syn makis Man vnabyll
 to ressaue worthelie this blyssit Sacrament. Heir-
 for I praye zow, and als Ernestlye in Iesus Chri-
 stis behalfe and name chargis, that nane off zow
 knowing hym self cursit, or in stat of deidly syn,
 or nocht confessit to his Curate, or vther Prestre,
 haupng power thairto, according to þe law of God,
 and haly kirk, presume to cum to this haly & maist
 excellent Sacrament, of our Salusour Iesus.

to the Clergye.]

+ +



E VICARIS, [CVRATIS and vthe-
ris Preſſtis, th[at are employit in the]
miniſtrati[oun of the blyſſit Sacra-]
ment of the [Altare, witt ze that the]
Prouincia[le Counſale ſtraighte char-]
gis zow, that[ze miniſter the blyſſit Sa-]
crament maie Godlie, maie honeſtlye and in [gre-]
tace reuerence, than ze war wount to do, thole
nocht your Parrochianaris to cum to this Blyſſit
Sacrament miſordourlie. But put thame in or-
dour be your miniſteris before the Altare, and re-
quyre thame to heie zow reid the afore wrytten, ex-
hortatioun without Moyſſe, or Din, and to ſit ſtyll
ſwa in Deuotioun, with deuote hert and mynde,
quhill thay be ordourlie ſeruit, of the ſaide Blyſſit
Sacrament. . &c.

FINIS.

¶ *Extractum ex libris actorum & ſtatutorum dicti
Prouincialis Concilij: per me eiufdem concilij Clericum,
& Notarium Subſcriptum.*

Andreas Elephantus manu ſua,
De mandato. Subſcripſit.

A PLAN
OF THE CITY OF ST ANDREWS,
FROM AN ORIGINAL DRAWING
BY JAMES GORDON, A.M.
MINISTER OF ROTHIE MAY.

M.DC.XLII.

VOL. III.

88

JAMES GORDON, the fifth son of Robert Gordon of Straloch, became Minister of Rothiemay in the county of Banff, in the year 1641, and died on the 26th of September 1686. He compiled a "History of Scots Affairs from 1637 to 1641," which was first printed at Aberdeen, with notices of his life, for the Members of the Spalding Club, in 1841, 3 vols. 4to. There was also printed in a separate volume, his "Description of both Towns of Aberdeen," accompanied with a facsimile of his large Plan or Map of Aberdeen, which contains views of the Town and of King's College. Another copy of the same Plan had previously been given in the Bannatyne Club edition of Spalding's History. In approbation of his labour in preparing this Plan, the Magistrates, in October 1661, voted Gordon a silver piece or cup of twenty ounces, with a silk hat for himself, and "a silk gown to his bed-fellow."

It is his skill as a draughtsman, and his being the first of our countrymen who is known to have prepared accurate plans and views, which chiefly recommend Gordon to our notice. His father, being engaged in completing that great national work, the Atlas of Scotland, which forms one of the volumes of the "*Geographia Blaviana*,"¹ found in his son James an able coadjutor; and it is not improbable that this Atlas was intended to have contained separate views and descriptions of the chief cities, towns, and public buildings. It is at least certain that Gordon's large and important Plan of Edinburgh was sent to Holland, and engraved on two sheets, with a dedication to the Provost and Magistrates of the City; by whom 500 merks, on the 2d of April 1647, were voted in acknowledgment "for his paines and travellis in drawing of the said Draught."² His four views, of

¹ With Latin descriptions, first published at Amsterdam 1655; and republished in different languages, French, Spanish, and Dutch, in 1662.

² Council Records, quoted in vol. ii. p. 391, note.

the Castle of Edinburgh, the old Palace of Holyrood, of the Parliament House, and Heriot's Hospital, engraved about the same time, are also of great interest.¹ Two oblong views on one sheet, being a North and South Prospect of Edinburgh, were likewise engraved in Holland from his drawings; but he himself has furnished a notice, which explains, what is otherwise unaccountable, the incorrectness of these two "prospects:"

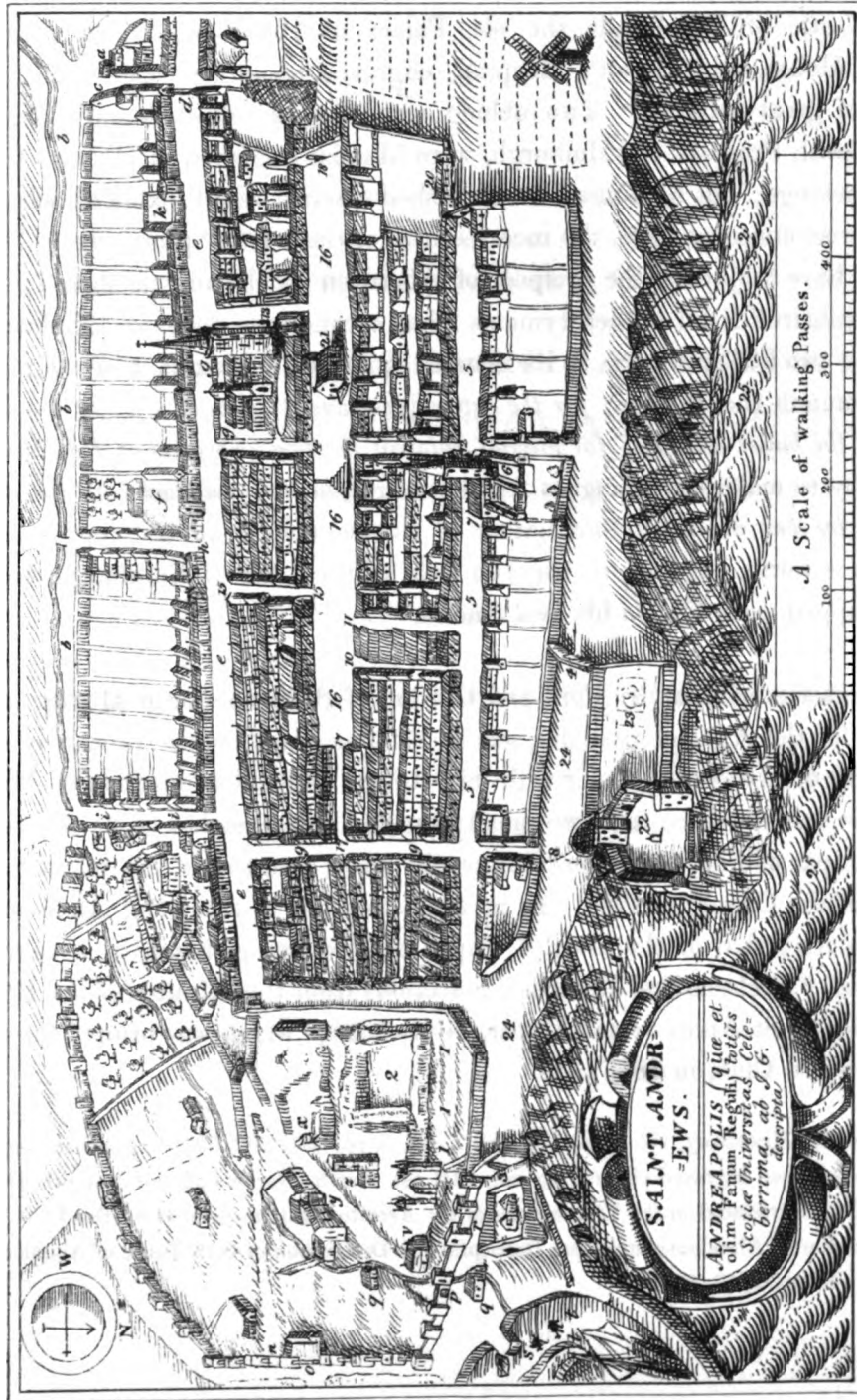
"I have subjoyned the prospect of Aberdeen to the mappe theroff; the lyke quhairoff I did at such tyme as I had occasione to descryve Edinburgh, adding two little prospects to its mappe; quhairoff I thought it necessar also to admonish the Reader; *for the cutter* [engraver] *of that draught hes both abusit the buyer and me; for having enlargit the two prospects of Edinburgh, thereby to make the draughts sell the deirer, he has falsified both the prospects by that means,* so that nather of thame looks lyke the copyes, and, which is worfe, not lyke to the two fyds of the Citie of Edinburgh, being misfahpped according to his own fancies."²

The series of Timothy Pont and Gordon of Straloch's original maps and plans for the Atlas of Scotland, was in 1723 acquired for the Library of the Faculty of Advocates, along with Sir Robert Sibbald's collection of MSS. In this volume there are two small pen and ink sketches of St Andrews and Cupar of Fife, by James Gordon, in 1642, inserted in his manuscript map of the County of Fife. An accurate facsimile of that of St Andrews is here given; that of the town of Cupar of Fife was included in a volume entitled "Ecclesiastical Records: Selections from the Minutes of the Presbyteries of St Andrews and Cupar, 1641-1698," which was printed for the Abbotsford Club, in 1837, 4to.

¹ See this Miscellany, vol. i. pp. 188, 186†; vol. ii. pp. 391, 392, 398, 401; where copies of three of these engraved views are given. Of the fourth, Heriot's Hospital, a lithograph facsimile is introduced in the Transactions of the Architectural Institute of Scotland.

² Gordon's "Abredoniae utriusque Descriptio: A Description of both Towns of Aberdeen," p. 20. Edinb. 1842, 4to.

PLAN OF ST ANDREWS, BY JAMIES GORDON,
ANNO DOM. M,DC,XLII.



Septentrio.

- | | | | | |
|---------------------------|--------------------------|-------------------------|---------------------------|-----------------------|
| a. Arklaye | iii. Eastburn wynde | r. Kirk hill | 10. Rule waste | 18. Markett gate port |
| b. the common leade | k. Gray freers ar=col | s. Fearn head | 11. Blacks Close | 19. Northgate port |
| c. the corne wynde | L. S. Leonardis Collegie | tt. the haven | 12. 12. O. Colledge wynde | 20. The Bospillall |
| d. southgate port | m. Leonardis Church | v. The Pryors Chantry | 13. Loops wynde | 21. The Tolbush |
| eee the Southgate | n. Neithr Pryory | z. Pryors house ruined | 14. Kirk wynde | 22. The Castled |
| f. Maries, or the Nallode | o. The Tennis Court | y. New Innes | 15. Bakhouse wynde | 23. Castell yard |
| gg Trinity Church | p. Mill port | z. S. Regulus Chappell | 16. 16. Markett gate | 24. 24. Swallow gate |
| h. Westburn wynde | qq. Pryor & Shere Mills | iii. Ruins of S. Andrew | 17. 17. Narrow M gate | 22. 25. The Sea. |

THE CONTRACT
WITH JAMES DEWITTE, PAINTER,
FOR THE PORTRAITS OF THE KINGS OF SCOTLAND
IN THE PALACE OF HOLYROOD;

AND THE ACCOMPT
FOR PORTRAITS, BY GODFREY KNELLER,
OF KING CHARLES II. AND HIS BROTHER
JAMES DUKE OF YORK,

M.DC.LXXXIV.

It is well known that Charles the Second never visited Scotland after the Restoration; but he nevertheless appears to have taken a special interest in remodelling the Palace of Holyrood. The old Palace, of which an engraved view is given in vol. i. p. 188, of this Miscellany, was chiefly erected by James the Fourth; and having been accidentally destroyed in 1650, it was restored by Cromwell's orders,¹ but still remained in a state unfit for a royal residence.

In the plans submitted to the King, as prepared by Sir William Bruce of Kinross, the north-west tower, known as Queen Mary's apartments, was fortunately preserved. The letters of Charles the Second,² and the original plans indicating his Majesty's minute alterations and suggestions for improvements on the plans of the entrance gate, and the different apartments, are still preserved. There is some intention of having these published, in a separate form, by Mr W. H. Mylne, whose ancestor, the "Master Mason" of that time, seems to have been employed in rebuilding the Palace.

The following documents, preserved in the General Register House, furnish some curious details respecting the series of Royal Portraits in the Great Gallery of the Palace. It would be no difficult matter to form a just estimate of their importance either in contributing to the progress of the Fine Arts in Scotland, or in preserving genuine portraiture of this partly fabulous series of One Hundred and Ten Kings. The artist, James De Witt, was brought from Holland, and contracted to finish the whole series

¹ See the extracts from Nicoll's Diary, in vol. ii. p. 404, note.

² The most important of these Royal Letters and Instructions are given in the Appendix to the Preface to the "Charters of Holyrood," printed for the Bannatyne Club, at the expense of the Earl of Ellesmere, in 1840; but the Plans to which they refer had not then been discovered.

within two years, at the yearly salary of £120, under the stipulation of his furnishing the requisite materials of canvass, oil, and colours of all sorts, with painting brushes, &c., and producing improved copies of the original portraits. As the Artist, therefore, was not employed to invent a series of Historical Portraits according to his own fancy or imagination, it would have been highly satisfactory had some information been afforded in what way the originals were procured by the Treasurer-Depute, to enable De Witt "to compleatly finish and perfect" the entire series of Portraits of One Hundred and Ten Kings, commencing with Fergus the First, who began his reign 330 years before the Christian era; "*and to make them like unto the Originalls which are to be given him*, and that to the advantage particularly in the art of Painting."

There is added the Accompt for two full-length Portraits of Charles the Second and James Duke of York, painted from the life in 1684, by Godfrey Kneller, and brought to Scotland, the expense of which, it will be seen, amounted to one half of the sum allowed for the entire series of One Hundred and Ten Kings, their predecessors. (Kneller was knighted by William the Third, in 1692.)

**CONTRACT BETWIXT HUGH WALLACE, HIS MAJESTIES
CASHKEEPER, AND JAMES DEWITTE, PAINTER, IN-
DWELLAR IN THE CANNOGATE, 26 FEB. 1684, AND
DISCHARGE THEREOF.**

AT EDINBURGH, the twenty sixth day of February 1st VIth and fourscore four years, It is Agreed, Contracted, and finally ended betwixt the parties following, To witt, Hugh Wallace, his Majesties Cashkeeper (by special command from William Marquis of Queensberry, Lord High Treasurer, & John Drummond of Lundin, Lord Treasurer Depute), on the one part and James de Witte, Painter, Indwellar in the Cannogate, on the other part, In manner following: That is to say, The said James de Witte binds and obleidges him to compleatly draw, finish, and perfyte The Pictures of the haill Kings who have Reigned over this Kingdome of Scotland, from King Fergus the first King, TO KING CHARLES THE SECOND, OUR GRACIOUS SOVERAIGNE who now Reignes Inclusive, being all in number One hundred and ten, The pictures of which Kings he hereby binds & obleidges him to compleatly finish and perfyte betwixt the date hereof and the first day of March 1st VIth fourscore six years, And to make them like unto the Originalls which are to be given him, and that to the advantage particularly in the art of Painting, And that at the sight and by the advyce of the said John Drummond of Lundin, or any whom he shall appoint for that effect: As also, the said James de Witte binds & obleidges him to finish such of the saids Kings Pictures, in large Royall postures, as he shall be appointed by the said John Drummond as aforesaid, And so as in largeness & number they may suite with the Chalked divisions scratched into the Privie gallerie

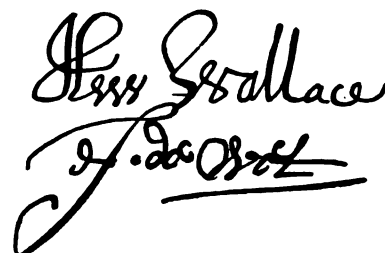
of his Majesties Palace of Holyroodhouse. Moreover, the said James de Witte binds & obleidges him to be so assiduous in painting of the saids Kings as the same be done without Intermission, And that he undertake no other manner of work untill the same be finished, without leave asked and obtained for that effect from the said John Drummond, as said is; And in case he shall happen to gett leave for some little tyme, or become valitudinarie, then and in that caise, he hereby becomes bound and obleided to repay the said tyme with the equivalent measure of tyme, after the expyreing of the date at which this Contract terminates. Lykeas, the said James de Witte binds and obleidges him to add such particular Inscriptions and Compartments, above and below the most notable of the saids Kings, as the said John Drummond shall appoint him, and suitable to that which the Gallery will allow in the respective places where the saids most famous Kings are to be placed, with their names, age, the years of their Reignes, and the date of the world, or the Birth of our Saviour. And finally, the said James Dewitte binds and obleidges him to furnish all kind of materialls necessarie for the said work, such as fyne strong tykeing, of sufficient largeness so that no seame be found in any picture, with sufficient Oyll and Cullouris of all sorts, Brusches, pincells of all sorts, with all kynd of workmanship, either relateing to washing, grinding, fyzeing, or painting whatsoever, alsewele not named as named, And to compleat them so as they be sufficiently winn, for being prooffe against the Injurie sustainable be flour, dust, or any other such extrinseck accidents. The Names of the Kings most famous are to be done in large Characters, and the Remanent are to be done in lesser Characters, viz.—FERGUSIUS, Teritharis, Mainus, Dornadilla Nothatus, Rutherus, Reutha, Thereus, Josma, Finnanus, Durstus, Evenus I: Gillus Nothus Evenus II: Ederus, Evenus III: Metellanus, CARATACUS, Corbredus I: Dardanus, Corbredus II: Galdus cog. Luctacus, Mogaldus, Conarus, Ethodius I: Satarell, Donaldus I: Euthodius II: Athirco, Nathalocus, Findochus, Donaldus II: Donaldus III: Cralinthus, Fincormachus, Romachus, Angufianus, Tethelmachus,

Eugenius I: FERGUSIUS II: Eugenius II: Dongardus, Constantinus I: Congallus I: Goranus, Eugenius III: Congallus II: Kinnatellus, Aidanus, Kennethus, Eugenius 4: Férchardus I: Donaldus 4: Ferchardus II: Malduinus, Eugenius 5: Eugenius 6: Amberkeethus, Eugenius 7: Mordacus, Elfinus, Eugenius 8: Fergusius III: Salvathius, ACAJUS, Congallus, Dongallus, Alpinus, KENNETHUS II: Donaldus 5: Constantinus 2: Ethus, Gregorius, Donaldus 6: Constantinus III: Milcolumbus I: Indulfus, Duffus, Culenus, Kennethus III: Constantinus 4: cog. Calvus, Grimus, Milcolumbus II: Donaldus 7: Macbethus, Milcolumbus III: Donaldus Banus, Duncanus, Edgarus, Alexander I: cog. acer, DAVID I: Milcolumbus 4: Gulliellmus, Alexander II: Alexander III: Joannes Balliolus, ROBERTUS BRUSIUS, David II: Edwardus Balliolus, ROBERTUS II: ROBERTUS III: JACOBUS I: JACOBUS II: JACOBUS III: JACOBUS 4: JACOBUS 5: MARIA STUARTA: JACOBUS 6: CAROLUS I: CAROLUS 2^{dus}, Dei gratia Rex Scotorum, &c. FOR THE WHICH CAUSES, the said Hugh Wallace binds and obleidges him and his succellouris in office to content pay and delyver to the said James Dewitte the sum of One hundred and twenty pound Sterline yearly, In full and compleat payment of the forsaids Picture work, dureing the space of the forsaide two years, wherein he undertakes the finishing of the same, to be divided proportionally, as followes, viz.:—the sum of Threescore pound Sterline at the subscribeing of these presents, per advance, for buying of tykeing, and furnishing himselfe with such fyne cullouris as he necessarily must provyde; And sicklyke, the sum of other Three score pound Sterline, as the second moyety thereof, when the two fourth parts of the saids Kings are painted, at the sight & by the advyce aforsaide, and when the same is to be seen and attested by the said John Drummond, or any intrusted for that effect; As also, the sum of other threescore pound Sterline more, when the three fourth parts of the saids Pictures are finished, by advyce and attestation aforsaide, with the sum of other three score pounds money forsaide, as the fourth and last moyetie of the haill sum contained in

this Contract, at the finishing and compleating of the hail work aforaid, The sufficiency and compleat finishing of the same being attested by the said John Drummond, as said is. Moreover, it is hereby specially provided that the straining frames of all forts are to be furnished to the said James Dewitte; and that he is to be at no other charges then what is above specifit; and that he shall be no wayes lyable to any watching, warding, or publick burdens, dureing the tyme of his said service; and that he shall bruike and enjoy the benefite of the severall Acts of Parliament & Councill past in favouris of his Majesties immediat servants, and particularly the 275 Act of the 15th Parliament of his Majesties Grandfather, King James 6th, of ever blessed memorie, wherein one of ilk occupation that serves his Majestie are freed from bearing of publick burdens, watching, warding, and quartering. And hereto both the saids parties binds and obleidges themselves *hinc inde* to otheris, and the party failzier to pay to the party observer, or willing to observe their part of the premisses, the sum of ten pounds money forsaid of penalty, in caise of failzie, besides the performance thereof, and together therewith. Consenting, for the more security, that these presents be insert and registrat in the Bookes of Exchequer, that letters of horning, on fix dayes, and otheris necessary, in form as effearis, may pass hereupon. And thereto constituts Mr George Bannerman, Advocat, one of his Majesties Solicitors, and Mr Robert Deans, Advocat, their pro^r, &c. In witnes quherof both the saids parties have subscribed these presents (written be David Callendar, servant to Thomas Moncreife of that Ilk, Clerk of Exchequer), with their hands, tyme and place forsaid, before these witneses, the saids Thomas Moncreife and David Callender.

THO. MONCREIFFE, witnes.

DAVID CALLENDER, witnes.

The block contains two handwritten signatures. The top signature is 'James Wallace' in a cursive script. The bottom signature is 'J. Deans' in a similar cursive script, with a horizontal line drawn underneath it.

These are declairing that the within named James Dewitt, Pictor drauer, has compleetly finished the within specified number of the Kings within mentioned, conforme to the tearmes of the Contract within written, & likewise that he has drauen the Picture of his present Majestie, and a chimney peece for the principall bed chamber, over and above the contract, both which last articles were barganed for by order of his Grace the Duke of Queenberrie for the sounge of threttie pounds Starling, as witnes my hand,

MR J. SMITH.

I, Hellena Stalmans, spouise to Mr Jacobus De wet, His Majesties pictur drawer in Scotland, grant me to have received from Hugh Wallace of Ingliftoun, his Majestie's Cashkeeper, in name of my said Husband, and as haveing full power from him, conform to his factorie to me, of the date the 25th day of Aprile last, Registrat in the Bookes of Exchequer, the 12 day of July thereafter, full and compleat payment of the within written contract. In witnes quherof I have subscribed these presents with my hand, at Edinburgh, 13th July 1686, Declareing that the therty pound sterline abovementioned for his present Majesties Picture, and the Chimnèy peece for the principall Bed Chamber, is not hereby discharged. Before these witneffes, James Vert, Servitor to William Cleland, Usher of Exchequer, and David Callender, Servand to Sir Thomas Moncreife of that Ilk, Clerk of his Majesties Thesaury & Exchequer, writer hereof.



JA. VERT, witnes.

DAVID CALLENDER, witness.

Payed to [James] de Witt, Painter, 20 lib: sterling, to accompt for Pictures of the old Kings of Scotland, to be delivered by him to the Lord Treasurer Deput, betwixt 7 1st of November 1683, per Precept 7 receipt obligator, 14 Aug. 1683.

Hugh Wallace, Cashkeeper, Pay unto [James] de Witte, Painter; the sum of Twenty pound Sterline, for which these presents, with his Receipt (obleidging himself that betwixt and the first day of November next to come he delyver in to the Lord Treasurer Depute such a number of Pictures of the old Kings of Scotland as the said Lord Treasurer Depute shall approve of, both as to workmanship 7 number), shall be your warrant. Dated at Edinburgh, 7th August 1683.

QUKENSBERRY, Thet^r
J. DRUMMOND.

Ed^r, 14th August 1683.

Received by me, [James] de Wit, painter, from Hugh Wallace, his Majesties Cashkeeper, the full above written sum of Twenty pound Sterline, and I oblige me, betwixt and the first of November next, to delyver to my Lord Treasurer Deput such a number of Pictures of the Old Kings of Scotland as his Lordship shall approve of, both as to workmanship and number. By these presents, subscrivit with my hand, tyme 7 place foresaid, before these witneffes, Gilbert Nicolson, writer hereof, 7 Theodore de Witt, my son.

Gilbert Nicolson
J. de Witt
Donick De Witt

PRECEPT for 60 lib. Sterline to Mr DEWITE, Painter, as the first moiety of his Contract for painting the whole Scottish Kings.

Hugh Wallace, Cashkeeper, pay unto James De Witte, Painter, the sum of three score pound Sterline, as the first moiety of the Contract past betwixt yow & him (at our Command) for painting the whole Kings of Scotland, from Fergus the first King to King Charles the Second. And for the twentie pound Sterline which he formerly gott by our Precept, and his Receipt, is to be allowed in his subsequent payments as wee shall hereafter think fitt. And for payment of which sixty pounds these presents, with his Receipt, shall be your warrant. Dated at Edinburgh, the first day of March 1684.

QUEENSBERRY, Thesr.

J. DRUMMOND.

Edr 8th March 1684. Received from Hugh Wallace, Cashkeeper, the full abovementioned sum of Threescore pounds Sterline. By me, JAMES DE WITTE.

STRAINING FRAMES for the Kinges Pictures in the Gallerie at the Palace of of Halyroodhouse, 1684 and 1685.

	Sterling.		
	Lib.	s.	d.
Ther is made be James M ^c Farland thirtene great Straining frames for the Kinges Pictures in the Gallerie at His Majesties Palace of Halyroodhouse, at 3 s. 4 d. Sterling per piece,		02	03 04
Item, Ther is of lesser frames from these Picturis in the same place, eighty nine at 18 d. per piece,		06	13 06
Summa in Inglish money,		08	19 10
Is in Scotis money,		107	18 0

I do hereby attest and declare that the above written ssume of eight pounds nyntein shillings and ten pence Sterling is justly dew to James M^cFarland, wright in the Canongate, for straining frames furnished and wrought by him towards the painting of the Kings Picturs which Mr de Witt has painted, t is apainting for the Gallerie of His Majesties Pallace of Halyroodhouse, which were to be furnished to him by Contract. Witnes my hand, at Ed^r this 10 March 1685.

MR J. SMITH.

Received from Hugh Wallace, his Majesties Cashkeeper, the above written ssume of Eight pounds nyntein shillings 10 d. Sterling, by me,

JA. I NF M^cFARLAND, his mark.

As witnes my hand, day and deat forsaide, befor thir witnes, James de Wit, pictor drawir, and Mungo Malloch, baxter, burges in Canongait.

J. DE WIT, wetnes.

MUNGO MALLOCH, wittnes.

PETITIONE for JAMES DE WITT, Picture Drawer, with his Wyf's Receipt for Thretty pounds Sterling for the Picture in the King's Bedchamber at Holyrudehouse Palace.

Unto the Right Honorable the Lords Commiffioners of his Majesties Treafury and Exchequer, The Petitione of JAMES DE WITT, His Majesties Picture Drawer in Scotland.

Humble Sheweth,

That wher your Petitioner being called from his oun country by Sir William Bruce, then Master of his Majesties Works, to

this Kingdome, for painting of his Majesties Royall Pallace of Holyrude-houfe, and haveing accordingly finished the Pictures of his Majesties Royall Ancestors, to the number of 111, which work, as it flood him a great deall of trouble and expence, besyde the los of his other imployment, and extraordinarie charges in transporting his familie from Holland to this Kingdome, so lykwyse he wes two years in compleiting therof, haveing no more allowance for the same butt ane hundreth and twentie pound sterling yearly, Whereas the expence he wes att did werie neer amount to the same. And the Petitioner haveing addrested himself to his Majestie for ane allowance for the great losses he had sustained, and for finishing the work, His Sacred Majestie wes graciously pleased to Remitt the same to your Lordships, who by his Majestie are authorized to examine the Petitioners losses, als well in reference in his coming over from Holland, and of the work alreadie done, as of his desyre of being allowed to finish the said work, and that your Lordships opinion and advyce therin should with all diligence be transmitted to his Majestie, as the said Petitione, and delyverance thereon, of the date the 25 September 1686, lyeing in the hands of Sir Thomas Moncreif of that Ilk, bears. And in regard that your Petitioner hath alreadie sustained a great manie losses in maner above represented, and that as yett ther is no report of his conditione made to his Sacred Majestie,

It is therfor humbly craved that your Lordships would be pleased, in obedience to his Majesties Royall desyre, to take inquirie of the whole affaire, and to Report the same, with your Lordships opinione and advyce, as by his Majestie is required. And your Petitioner shall ever pray.

The Lords Commiffioners of His Majesties Treasury haveing considered this Petition, and that as yet they have not had tyme to consider his Majesties Reference in favours of the Petitioner, and that he hes not

receaved payment for the Pi&ur abone the Chimney in the Kings Bed-chamber, nor for his Majesties owne Pi&tor standing in the Gallarie, Doe therefor heireby appoint the Receavers of His Majesties Rents to pay unto the Petitioner the sum of threttie pund Sterling to an accompt, for which these presents and his receipt falbe your warrand. Dated at Edinburgh, this 12th August 1687.

PERTH, *Cancell.*

I. P. D.

At Edinburgh, this nynth day of September I^{VI}° eighty feavine years. Receaved by me, Helena Stalmans, Spouse to the within designed James de Wett, & Factrix constitute by him dureing his absence for doeing his affairs, conform to his Factorie Regiftrat in the Books of Exchequer upon the tuelth of July I^{VI}° eighty sex years, from Patrick Murray, in name of the Receavers abovenamed, full payment of the abovewrittin soume of Thretty pounds Sterling, as witnes my hand, day and place aforfaid, befor thir witneffis, Mr Johne Justice, merchand in Edinburgh, & Mr Hugh Davidfon, writter ther and heiroy.

Helena Stalmans
Hugh Davidson *John Justice* *witnes*

ANE ACCOUNT OF CHARGES AND DISBURSEMENTS FOR
THE KING AND THE DUKE OF YORKS PICTURES SENT
TO SCOTLAND, 1684.

Paid to George Clerk, in name of James Foulis, £123 . 3 sterling, for the
Originall Pictures of The King and Duke sent from London, per Ac-
compts, Precept and Receipt, 5 Feb. 1685.

THE Charges Paid out for the King¹ and the Dukes Pictures sent for Scot-
land, as follows :—

1684.

8ber 13. Paid Mr Kneller then, p. Receipt,	£70 0 0
[See A, page 341.]	
15. Paid him, per Bill of Mr James Smith,	7 0 0
[See B, page 341.]	

¹ This Portrait of Charles II. was no doubt, in compliance with the following Warrant of
Queen Anne, delivered to John Earl of Mar, and may yet be in the possession of the family :—
ANNE R.

Right Trusty and entirely beloved Cousin, Wee hereby authorize and require you to
deliver to Our Right Trusty and welbeloved Cousin and Councilour, John Earl of Mar, one
of Our Principal Secretarys of State for Scotland, or any having his order, the Picture of
King Charles the Second, which did once hang in Our Council Chamber at Edinburgh, and is
now in Our Palace of Holyroodhouse, Which Picture is for the said Earl's proper use, and to
be disposed of by him as he shall think convenient, for doing of which this shall be your
Warrant. Given at Our Court at Kensington, the third day of April 1708, and of Our Reign
the Seventh year.

By her Majesty's Command,

DAVID NAERNE.

To Our Right Trusty and entirely beloved Cousin, Anne Dutchess
of Hamilton, Keeper of Our Palace of Holyroodhouse.

Payed the Charges of Shipping them,	£5 13 6
[See C, page 341.]	
9ber 6. Payed Mr Knellers Brother for the great Boxes,	
ʒ Drinkmoney to his brothers men,	4 10 0
[See D, page 342.]	
14. Paid Mr John Hay, for fveral difburfements for	
the Curtines, frienges, ʒ others, per account,	27 18 5
[See E, page 342.]	
	<hr/>
	£115 01 11
Exchange, at 7 per Cent, in confideratione that	
moft part is payed abone a month agoe,	8 01 01
	<hr/>
	<u>£123 03 0</u>

For the which fumme I have, of this date, Received a Bill, drawne by
S^r Andrew Forrefter, upon Hugh Wallace of Inglistone, payable to my
order at ten days fight. I say, received as above.

J^A. FOULIS.

Hugh Wallace, Cafhkeeper. Pay unto George Clerk, Merchant in
Edinburgh, in name of James Foulis, Fa^{ct}or at Londoun, the within
writtin accompt of one hundred twentie three punds three fhil. Sterling,
for which thefe prefents and his receipt fhallbe your warrant. Dated at
Ed^r this 19 of December 1684.

QUEENSBERRIE, Theft^r.

KINTORE.

Ed^r, the 5th Feb. 1685. Received then the fume
of £123, 3s. from his Majesties Cafh Keeper.

GEO. CLERK.

(A.)

Mr Kneller's Receipt of L.70, in compleat payment of the King and Duke's Pictures :—

Received from Sir Andrew Forrester, by order of the Lord Marques of Queensberry, Seaventy pounds Sterline, which, with fifty pounds Sterline received before from the Lord Treasurer Deputt, is in full for the Originall Pictures of the King and Duke, with frames to them. I say, received this 13th October 1684, by me,



(B.)

£7.

London, 15 October 1684.

Wheras I understand by Mr Kneller that ther is seven pounds resting to him for the guildr roods and rings for the Courtains that are ordained for His Majestie and Royal Heighness picturis, these are therefore intreating youe to pay it to him or his order, and if Sir Andrew Forrester do not pay or count with youe for it, it shall be payed by,

Sir,

Your humble servant,

For Mr James Foulis, Merchand in Londone.

MR J. SMITH.

(C.)

London, 17 Oct. 1684.

Accompt of the Charges for Entering and Shipping the King's Pictour and Duck's Pictour, and the Damise Curtins, with a gold fring to hing over them, in his Majesties Privie Counsell for Scotland.

To custom of the Damise Curtins, vallans, and gold fringes, the valow being	
25 pounds,	£1 5 0
To Cocket fees, making, passing, and sealling,	0 3 6
To a bill of stor for the Pictors,	0 4 0
To porturadg of the two great Caisses with them,	0 7 0
To Searchers fees, shipping of the goods at the key,	0 3 0
To a great boat to Coustomhouse and ship, and for a Tarpallion to cover over, being all night,	0 6 0
For the Tarpallion carried to Scotland to cover over all the Pictors in the ship to keip them dry,	2 5 0
For a boat severall tymes throw bridg to the Coustomhous, and for my pains and charges, and for watching the goods all night upon the water, and for entering and shipping, being 2 dayes about the work,	1 0 0
	<u>£5 13 6</u>

London, 26 October 1684.

Received compleat payment from Sir Andro Forrester, by the hands of Mr James Fowllis, merchand of London, for the Accompt of the King and Duck pictors sent for Scotland. I say, Received by me the soume of five pounds thretteine shillings and sixpence Sterling.

GILBERT LEVINGTOUNE.

(D.)

I received from Sr Andrew Forrester fifty schillins for the tuo great boxes to the King and Ducks Picture that was sent into Scotland, and forty schillings to myn Brother Seruants for their truble and pains, by me,

JOHN KNELLER.

Westmunster, the 6 Nouember 1684.

(E.)

Account for the Curtines, and other necessars for the Picktura.

Oct. 15, 1684.

For 32 yards and $\frac{1}{2}$ of purple Janua Damask, at 11s. 6d. per yard,	.	£18	13	09
For 43 ounces of purple and gold fringe, at 3s. 2d.,	.	06	16	02
For 2 rich Gold and purple tassels,	.	00	10	00
For 2 ounces of Gold and purple pointing,	.	00	06	00
For 6 brasse pullies, at 9d. p ^a ,	.	00	04	06
For 2 Receivers,	.	00	05	00
For 26 yards $\frac{1}{2}$ of Purple Silk Loop lace, at 2 $\frac{1}{2}$ d. yard,	.	00	05	06
For 2 frames for the Curtins,	.	00	04	00
For makeing the 2 Curtins, finding Silk, and small Rings,	.	00	10	00
For a long box, to pack up the Curtins and frames,	.	00	03	06
		£27	18	05

Received, by the appointment of Sir Andrew Forrester, the 14th of November 1684, the summe of £27 . 18 . 5. I say, Received by me,

Jo. HAY.

EXTRACTS
FROM "THE RICHT WAY TO
THE KINGDOME OF HEVINE,"
BY JOHN GAU.
PRINTED AT MALMOE, IN SWEDEN,
M.D.XXXIII.



The original volume is in 12mo or small 8vo, black letter,
signatures A to Z, in eights, the pages not numbered.

Thone Gau to the reder.¹

GRACE / marcie / and pere / of god our fader / and of the lord
Ihesus Christ our salufour / be vith al chrissine breder and
sister / Amangis mony oder skaithful bukis and fals doctrine
vith the quhilk the pepil hes ben falslie dissauit befor in mony
zetis and euil and ongodlie techit of the quhilk greit onfaithful-
nes and heresie come amangis the pepil / Of thir bukis thir ar
the gretest (the quhilk mony befor wels maist vont to wels) the
quhilk ar callit Hortulus anime / And Paradisus anime / That
is the gardine of the saul / and the paradys of de saul / bot be
richt thay suld hayf callit thayme the errour and begeline and
the distructione of the saul / In the quhilk bukis thair is sa
mony lesingis / and fablis / and dremis gadrit to gider / and
mony orisons to diuersz patronis and sanctis / and quhow men

¹ The volume from which the following extracts are made, is considered to be one of the earliest Protestant works by a native of Scotland. An exact facsimile of the title-page is given on the preceding leaf. It is of such rarity that only one copy is known to be preserved. It is now at Britwell, having been acquired at the sale of Mr Chalmers's Library, by the late W. H. Miller, Esq. of Craigentinny. The extracts are printed literally from the original edition.

Respecting the Author, who was probably a native of Perth, in the Appendix to Knox's History (vol. i. p. 528), the Editor, among his notices of the Protestant Exiles from this country, added as follows:—"John Gaw has already been mentioned at page 504, as author of a rare work entitled 'The Richt Way to Hevin,' which bears to have been printed at Malmoe (in Sweden,) in the year 1533. Many years ago, in passing through that town, the seat of a University, I had the curiosity to inquire in their Library if any copy of that volume was preserved—but it was altogether unknown. The Author appears to have attended the University of St Andrews; as we find the name of Johannes Gall (*Scottie's* Gaw,) among the Determinants, in the year 1510; but of his subsequent history no information has been obtained."

and vemen sal scrīue thayme and quhou thay sal rekkine of
 thair sinnis to thair schrift fader in quhat maner and vith
 quhat persone thay var dune as suni fupl or munk maid as thay
 thocht and dremit efter thair aune heid / and vrait thayme that
 oders micht dailie reid and vly thair dremis for godlie prayers /
 Neuertheles thay reknit mony foul and abhominabil sinnis in
 thayme the quhilk mony gupd men and vemen and specialie
 zung persons knew neuer of befor na thocht neuer to dw in al
 thair dais / Thay haif gadrit to gider in thir forsaide and siclik
 bukis mony sindrie prayers as thay thocht maist godlie and
 vrait reid and fals fenzeit titels and marbolous commendations
 befor thaim that thay quhilk red thayme or buyr thaim apone
 thayme suld haiff sa mony thousand zecis of pardone And for-
 giffine of thair sine and payne and deliuer thair faders and
 moders and oder frendis saulis of the paynis of purgatorie for
 the quhilkis thay vald pray for in that orisone Thay gaif sic
 vane glorious tetels and namis and pouers that thay quhilk red
 thaim euerie day or buyr thayme apone thaim suld noth be
 slayne be thair inimis na drunit na brint na be hangit na suld
 notht be ane euil or ane hastie deid na haif na troubil na powerte
 Or quhay that redis sancti crasmis orisone apone the sonday
 thay sal get meit and drink aneuch that ouk Or quhay prais
 to sanct christofer and seis his ymage sal notht that day haif
 aduersite or be onchrisinlie / And siclik thay dremit and maid
 innumerabil pouers and vertues and laid to siclik orisons the
 quhilk ver lang to vrit heir as it is thair to requirit Chairfor
 I postpone thayme nou / thay quhilk befor vely blindit and ar
 nou illuminat be the licht of godis vord thay knaw thayme veil
 thair self / I traistit mekil of siclik orisons befor in my ald
 blindness / Bot blissit be god quhilk hes helpit me thair owt be
 the licht of his halie vord and of mekil oder blindness quhilk I

vesz in befor / It is greit neid to informe and tech al chrissine pepil that they vsz noth thir orisons as thay did befor And that thay put na hop na traist in thayme and to lat thayme alen and hald thayme noth of valour for causz thay cane haiff na saluacione throu thayme And to giff ouer passionale sanctorum legenda sanctorum saulis traist and bukis of miraculis / in the quhilk thair is mekil gadrit to gider quhilk the deuil pat in thayme quhilk first maid and vrait thayme to Draw the pepil thair throu fra the richt faith and put thair hop and traist in to sanctis and sindrie patronis that thay suld pray for thayme and saif thayme / And sua lichtlie our lord Ihesus Christis blissit passione and precious deid With the quhilk he maid alaneerlie perfet satisfacione for al our sinnis and wil marcfullie forgif vs thaim of his awne gracious guidnes . Duhairfor ve suld alaneerlie lowe and vircship and honour the lord god our maker and redemar and pray to na oder bot to hime as hime selff commandit in the v and vi chaiptr of Deutero. and in the xx and xxxiii of Exodi and mony oder plaris of the halie scriptur commandis the same Thairfor now the richt and chrissine doctrine is heir contenit in this present buyk that al quhilk onderstandis the Scotis tung ma haiff vith thayme and reid and vsz it Dailie / That thay may chrissinlie leir and onderstand first quhou thay sal ken thair sine and ar sinful creatures / This thay suld leir of the x commandise of God.

Alsua thay suld leir the chrissine faith as it is contenit in the xxiid / And onderstand quhou thay suld trow in thayr god and maker and ken hime. Sine thay suld leir the Pater noster quhou thay suld pray richt to god thair fader in the heuin for that is in verite / that ane richt chrissine man hes prait aneucht quhen he hes prait ane pater noster vith the hart and ane gude mind / For ane prayer is noth the maie plesand to god for causz

we wylz mony wordis in it As our salufour sais in the vi chaip-
 tur of sanct matheu / Bot ane chrissine prayer is quhen ane
 man prais and murnis inuertlie in his hart to god efter his
 help / of the quhilk our salufour sais in the v chaip-
 tur of S. math Blissit ar thay quhilk murnis for thay sal be confortit /
 the quhilk murning and inuert desir of the hart ve suld al time
 haif to god for his help / Chairfor it is neidful that al pepil lat
 alen the orisons maid be men quhilk hes diuerlz nanis and
 titels / sa mony thousand zecis / of pardone pouers / and remis-
 sione of sene and payne / for the reding of thaim The quhilk
 is bot leing and begilline / Chairfor al chrissine pepil suld nou
 leir agane to reid and pray the richt chrissine prayer (the quhilk
 is the pater noster) apone thair ane tung the quhilk our salufour
 leirit his disciplis to pray as sanct matheu writis in his vi
 chaip-
 tur and sanct Luc. in his xi / the quhilk is of sic natur
 that the offer that ony man pray it vith hart and mind thair
 apone it is maie plesand and sueter to hime / Our lord Ihesus
 the sone of God the quhilk maid it and leirit vs to pray it (to
 his and our hewinlie fader) gif vs al his halie spreit that we
 ma haif lwiiff to reid and pray it vith ane chrissine hart to his
 gloir and honour and to the saluatioun of our saulis A M E N

The richt way to the heuine.

Almichtine God hes noth commandit vith out ane special causz
 that the x commandis suld first be writtine and sene schawne
 and prechit to the pepil Bot pat thay suld first leir and onder-
 stand the same x commandis / and syne the creid and the pater
 noster / the quhilk thre thyngis contenis veralie al pat standis in
 the halie writ and al pat cane be prechit and leird to the saluatioun

of our saulis and al quhilk is neidful to vsz to wit of our lord
 Jesus Christ our god and saluour / And this is sa weil and
 schortlie contentit in few wordis in the same x commandis and
 the creid and Pater noster / yat na man cane excus thaim self
 thair of yat thay cane nocht leir thaim na remember appone
 thaim Thir ar thre thingis quhilk ar neidful to al man to onder-
 stand to the saluatioun of the saul First to onderstand quhat
 thay suld dw and lat be one dune / Secundlie quhair thay cane
 noth du or lat be one dune of thair aune strinth as thay suld /
 to seik and find help quhair vith thay ma du or lat be one dune
 the thing quhilk thay ma noth of thair aune strintht / Thridlie
 to onderstand quhou and quhair thay sal this help seik and find /
 Siclik as it is neidful first to ane seik man to knaw quhat is
 his seiknes / Secundlie quhat he sal du or lat be one dune to
 his seiknes / Thridlie to knaw quhair he cane get lechine and
 help to mak hime haill agane / Sua the x commandis of god
 levis al men to knaw thair spritual seiknes sua yat euerie man
 ma se and knaw be hime self quhat he ma dw or lat be one dune
 and thair of knaw yat he is sinful and euil befor god for causz
 he cane noth fulfil his commandis na keip hime self fra sine
 Secundlie faith levis al man quhair thay sal seik and find help
 and lechine of thair spritual seiknes / yat is to say quhair thay
 sal get grace marcie and forgiffine of thair sinnis and to be
 maid hail of thair seiknes / For faith levis wtz to knaw god
 and his greit grace and marcie quhilk he hes schauine to wtz
 in his weil belowit sone quhom he gait to wtz to suffer payne
 and cruel deid for our saik Ro. viii. Thridlie the Pater noster
 levis al man quhow thay sal desir and get yat same help vith
 ane inuert and ane faithful prayer to god and to pray to hime
 with ane meik hart in the richt faitht / sua thay sal find help
 and lechine the quhilk is the grace and marcie of god and heilis

the spiritual seiknes of the saul / **Thairfor** it is neidful yat
 ewerie man quhilk wil be ane richt chrissine / begine and leir
 first the x commandis of god quhairthrow thay ma know
 thair sine and ewil quhilk is the spiritual seiknes of the saul
Quhairfor we ma nocht **Dw** the thyng quhilk we suld **Dw**
Dr lat be one dwne quhilk we suld lat be one dune as the halie
 apostil sanct paul writis at lynth in the vii chaiptur to the
 Romans

The first tabil of **Moysses** contentit the iii first commandis of
 God writine in it the quhilk lexis al man and woman
 quhat thay owe to god / or quhat thay suld du or lat be one
 dune in the thingis pectenand to god

**The first command Thou sal haif na oder
 strenge godis**

This first command lexis al man and woman quhou thay sal
 haiff thayme inuertlie in thair hart to god / that is quhat
 is requirit al time to trow and hop of hime / **The** quhilk is to
 traist suerlie al time guid of hime as of thair maist tender
 fader and al thair best frend And lwiff hime with al thayr hart
 ouer al thing / And dreid hime of lwiff as the guid baierne dois
 his fader / And be diligent al time yat thay displeis hime noth
 in ony maner aganis his commandis / **Natur** lexis vsz alsua
 yat thayr is bot ane god quhilk giffis to vsz al guid / and helpis
 vsz in our aduersite

**The ii command Thou sal nocht tak the
 nayme of god in uane**

This ii command lexis ewerie man and woman quhou thay
 sal haiff thayme to god wtuertlie befor thair nightburs in

thair wordis / And alsua inuertlie in thair self That is thay
sal honour the nayme of god / for quhy na man cane mak god
knewine befor men or to him self efter his godlie natur / bot
alanerlie be his halie nayme

The iii command Thou sal keip thy halie Day

This iii command letis euerie man and voman quhou thay
sal haiff thayme wtuertlie in thair wark / That is in the
seruice of god / Sua thir iii commandis letis al man and vo-
man quhow thay sal haiff thayme to god inuertlie in thair hart
and outuertlie in thair word / and wark

The secund tabil of moyses contenit the oder vii commandis
the quhilk letis al man and voman quhat thay suld do /
Or noth do to thair nichtburs

The iiii command Thou sal honour thy fader and moder

This command letis euerie man and voman quhow thay sal
haiff thayme to thair fader and moder and to thair fren-
dis and elders / and powers and reulers for thay ar in godis
sted Institut to minister Justice / Quhairfor this command
followis nixt effter the iii commandis pertenant to god / And
standis befor the vi oder commandis

The v command Thou sal noth sla

This command letis al man and voman / Quhow thay sal
haiff thayme to thair nichtburs / Quhow thay sal do
thayme na ewil bot help thayme efter thair power in thair
necessite

**The vi command Thou sal noth commit
adultrie**

This command letis euerie man quhow thay sal haiff thayme to thair nichtburs as to thair wiffis doughters and to oder kinnis vemen / And alsua quhow vemen sal haiff them to thair nichtburs husbandis sua that ane sal noth defoul na scheyme ane oder bot hald oder in honor

The vii command Thou sal noth steil

This command letis euerie man and voman quhou thay sal haiff thayme to thair nichtburs as pectenand to thair temporal gudis / That is thay sal notht hurt na skaith thaim bot defend and help thayme efter thair power and help thaim quhair thay cane

**The viii command Thou sal notht beir fals
vitnes aganis thy nichtbur**

This command letis euerie man and voman quhow thay sal haif thayme to thair nichtburs in thair honour and fayme / That thay sal notht hurt thayme in ony maner bot help thayme efter al thair power

**The ix command Thou sal noht desir thy
nichtburs hys et etc**

**The x command Thou sal noth desir thy
nichtburs wiff madin seruand beist or ony
thing quhilk pectenis to him**

Thir is last commandis letis us quhou euil the natur of man is / And quhou clepne we suld be without al euil desir of gudis mony and riches / And of al oder thingis /

Du hairfor ve suld fecht aganis our euil desiris for that suld
be ane chrissine mannis dalie batel

Ane schort declaratiōne of the x commandis

Our lord Ihesus Christ sais hime self / As sanct Matheu
writis in his vii chaiptr / Duhat euer ze wald that men
do to zou / Do ze siclik to thayme / This is al the law and
the prophetis / Na man wald haiff ewil off ane oder / Na man
wald that ony oder tynk fra hime his sayme or honour / Na
man wald that ony oder displeit hime or did to hime ony
thing quhilk is aganis richt / Na man wald haiff betrand of
his nithburs / Na man wald that ane oder defoulit his wif or
his doughter / Na man wald that ane oder staw or rest or tynk
his guidis fra hime throw power or strinht / Na man wald be
begilit or bakbitine be ony oder / Na man wald that ony oder
sleu or straik or hurt hime in ony maner / bot euerie man de-
siris luff and frendschip help and suport of oders / and to find
verite and faith with al man / This levis and techis al man the
foresaid x comanndis of God

.

Off the halie chrissine faith

Sign. B. f.

Her euerie man sal onderstand that faith is diuidit in iii
partis efter the iii parsons namit in the creid the first
part of the fader the secund is of the sone the thrid is of the
halie spreit thir ar the gretast and maist special articulis of
our faith of the quhilk al the laiff dependis heir euerie man sal
mark that ane man ma trow ii maner of wais of god First he
ma trow as it is said of hime / that thair is ane god siclik as
ane man trowis the thing quhilk is said of ane oder as it said
that thair is ane twik and trowis that is trow / of sic faith

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adultrie**

This command letis euerie man quhow thay sal haiff thayme to thair nichtburs as to thair wiffis doughters and to oder kinnis vemen / And alsua quhow vemen sal haiff them to thair nichtburs husbandis sua that ane sal noth defoul na scheyme ane oder bot hald oder in honur

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This is last commandis letis wif quhou euil the natur of man is / And quhou clepne we suld be without al euil desir of guidis mony and riches / And of al oder things /

Du hairfor ve suld fecht aganis our euil desiris for that suld
be ane chrissine mannis dalie batel

Ane schort declaratiōne of the x commandis

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writis in his vii chaiptr / Duhat euer ze wald that men
do to zou / Do ze siclik to thayme / This is al the law and
the prophetis / Na man wald haiff euil off ane oder / Na man
wald that ony oder tynk fra hime his fayme or honour / Na
man wald that ony oder displeisit hime or did to hime ony
thing quhilk is aganis ritht / Na man wald haiff betrand of
his nithtburs / Na man wald that ane oder defoulit his wif or
his douthter / Na man wald that ane oder staw or rest or tynk
his guidis fra hime throw power or strintht / Na man wald be
begilit or bakbitine be ony oder / Na man wald that ony oder
sleu or straik or hurt hime in ony maner / bot euerie man de-
siris lwiff and frendschip help and suport of oders / and to find
verite and faith with al man / This letis and techis al man the
forsaidd x commandis of God

Off the halie chrissine faith

Sign. B. i.

Her euerie man sal onderstand that faith is diuidit in iii
partis efter the iii parsons namit in the creid the first
part of the fader the secund is of the sone the thrid is of the
halie spreit this ar the gretast and maist special articullis of
our faith of the quhilk al the laiff dependis heir euerie man sal
mark that ane man ma trow ii maner of wais of god First he
ma trow as it is said of hime / that thair is ane god siclik as
ane man trowis the thing quhilk is said of ane oder as it said
that thair is ane twik and trowis that is trow / of sic faith

spekis S. Jamis in his ii chaipthur that the dewillis trowis and
 trimlis / the secund is that man trowis nocht alaneclie that
 thair is ane god (as dois the [de]willis) bot trowis in hime and
 puttis al his hop and traist in hime and giffis and commendis
 hime aluterlie in his power and lattis hime do with hime and
 rewl hime efter his halfewil and trowis without ony dout that
 he will do weil to hime and haiff cuir of hime and prouid for
 hime and deliuer hime fra al ewil and trowis this noth of the
 paip na cardinal na thair legatis na of ony oder mortal man
 quhow grit that ewer twisz thair power thow ma weil trow that
 thay haiff vardlie power bot trow nocht thairfor that thay haiff
 power to saiff and to giff the ye everlestand blis of hewine

.

Sign. *aa. i.*

**Heir efter folouis the pater noster vith ane
 schort declaratioun apone the same**

The disciplis desir of our lord Jesus Christ to leir thaim
 to pray (as Ihone did his disciplis) as S. Luc writis in
 his xi chaipthur in the quhilk ca. he techit thayme quhat thay suld
 pray and quhow thay suld persstueir and be constant in prayer /
 alsua he techit thayme quhow thay suld pray and quhat thay
 suld pray quhen he precht the suet sermond to thayme apone
 the montane (as S. Mathew writis in his vi chaipthur) sayand
 quhen ze pray ze sal nocht haiff mony vordis as ye paganis
 dwis for thay trow to be hard for thair mony vordis quhairfor
 ze sal nocht dw as thay dw for your fader in the hevine knawis
 quhat ze mister or ze desir ony thinge of hyme quhairfor ze
 sal pray swa ¶ Our fader thow quhilk is in ye hevine / thy
 nayme mot be hallowit / thy kingdome mot cum (to vs) thy
 wil mot be dwne in ye zeird as it is in the hevine giff ws this
 day our daille breid / and forgiff ws our dettis as we forgiff

our dettours / and leid vsz nocht in temptatiōne bot deliuer vsz
fra ewil Amen / Heir off our Iesus Christis aune vordis ve leir
quhow and quhat ve sal pray / the quhilk ii thingis ar neidful
to vsz to know

Of the Aue Maria

Sign. ⑥. bff.

H Eir euerie man sal mark that neyne sal put thair hop in
the virgine Maria or trow that schw cane saiff ony man
for prayer or seruice dwne to hir Chairfor euerie man sal put
thair hop alanerlie in Iesu Christ for thair is na oder saluour
bot he alene / quhilk gaiff hime selff in redemptiōne for al / as
S. Paul writis in ye ii chaipitur of ye first epistil to Thi-
mothe / This is ye greitast seruice and honour that man cane
dw to God to trow in his sone quhome he send in ye vardin as
our saluour saiss in ye vi chaipitur of S. Ihone Chairfor
euerie man sal lowe and thank God for the greit grace quhilk
he gaiff to hir / nay man sal lowe hir oderwisz bot that schw
gat that greit grace of ye guidnes of God without hir merit
that he maid her vorthty to beir his veilbelouit sone as hir
selff said in ye Magnificat / god hes lukit apone ye powerte of
his madine or seruand / schw extollit nocht hir selff of hir hu-
milite or meiknes (as mony saiss without onderstanding) for
pat haid heyn prid and sine and schw haid dwne sua / bot schw
lowit God quhilk maid hir vorthty of his guidnes and grace and
chosit hir to beir his sone quhair schw vesz pwir and lichtlit
in the vardin / quhen ane man seiss the sone or the mune or the
sternis or ony oder plesand creaturs thane thay giff occasiōne
to lowe and thank God quhilk maid thayme and to say blissit
be thow almichtine God of al thy angels and sanctis and of al
thy creaturs quhilk thow hes maid in heuine and zefred / sua

suld we dw and say of the virgine Maria O almightine and
merciful God blissit be thou quhilk maid that plesand creatur
ye virgine Maria and gaiff hir sa greit grace and honour to be
the Moder of thy weilbelowit sone our saluour / giff wsh al
grace yat we may thank the thair for without ony end / we suld
sua think in our hart of hir in our prayer / yat we put nocht
our hoy in hir bot in Jesu christ our lord and saluour and
mediatur betuix wsh and the fader / we may sua remember of
hir and of oder sanctis in our prayer / O almightine God quhilk
gaiff the virgine Maria and Peter and Paul and A. M. say
greit faith and grace yat thay trowit alanerlie in the / giff vs
pwir sinners grace yat we may alsua trowe in ye and lowe and
thank ye for euer in the heuine / sua we may pray for al thingis
quhilk ar neidful to wsh and traist alanerlie in God That he
may giff wsh thayme / Thairfor chrissine redeir considder the
Aue Maria persittlie and thou sal find yat it giffis the lowine
of al guid quhilk wsh in hir to God

Hail Maria ful of grace The lord is with the /
Thow art blissit amangis al vemen / and blissit is
the fruit of thy weyme Jesus Christ Amen

HEir euerie man may se that thair is nay prayer heir in the
Aue Maria / bot alanerlie lowine siclik as thair is nay
prayer in ye vi first vourdis of the Pater noster / ye quhilk ar /
Our fader quhilk is in the heuine Thairfor nay man cane mak
ane prayer of it / for it is noth lesun yat ony man interpret
the wordis of it in ony oder maner nay thay stand / for thay
ar playne and spokine be the halie spreit Neuertheless we speik
of thayme as of ane remembrance quhatrof we may remember
ye greit grace quhilk God gaiff to hir / makand hir cleyne of
sine / and chesand hir to be ye moder of his sone And that the

lord wels with hir pat is to say / he come of ye heuine be ye wil of ye fader and of his awne marrie and grace (and nocht for nay meritiss of ony creatur) and wels consaut and borne of hie be the operacione of ye halie spreit to suffer deid to deliuer hie and al quhilk trowis in hyme fra the power of ye dewil and ye eternal deid and condamnacione / Schw is blissit amangis al women noth alaneerlie for causz schw biue hie sone withowt ony payne or corrupcion of hie parsons bot specialie for causz schw wels frwittful be the operacione of ye halie spreit without ye seid of man ye quhilk wels nocht gifine to ony oder virgine nay woman / alsua the blissit frwit of hie weyme incurrit nocht the sone and maledictione quhilk cumis apone Euais and al wemennis baicnis and frwit for causz thay ar consaut and borne in sone and ar dettours to deid and condamnacione / bot Jesus christ the frwit of the virgine maria wels and is alaneerlie blissit the quhilk alsua maid hie blissit and al man and woman quhilk trowis in hime thairfor lat wls al sing with hie to gider mi saul lowis the lord and my spreit helz reiosit in god my saluour / to quhome be lowine and honour of al creatur
A M E N

Heir efter folouis ane epistil to ye nobil lordis / and barons of Scotland

Our saluour Jesus christ quhilk is king of kingis and lord of al lordis commandit his aposttis to prech the wangel to al creatures / as sanct Marc beris witnes in his last chaip- tur / quhairfor thay and thair successors war dettours and bound to prech the same / to al pepil / to the puer / and to the rich / without exceptions of ony parsons / S. Paul the faithful

prechour of christ confessis the same in the first chaipstur of his
 epistil to the romans And in the ix c. of his first epistil to the
 corinthians he writ to brek this command sayand wa is to me
 and I prech nocht the vangel et ce / this consideris nocht ye
 blynd giders and pastors quhilk sekis bot the mylk and ye
 wow of the schep / quhilk alsua thinkkis nay scheyme to cal
 thayme self vicars of christ and successours of the apostlis /
 o say lik : say lik : ye quhilk ze sal onderstand helz hapnit for
 iii causis / the first is ignorance of the wangel to the quhilk
 thay haiff gifine na cuir to thir mony zeris / bot to thair awne
 tradicions the quhilk thay haiff maid to hald wy thair kingdome
 ye quhilk culd nocht stand and thay prechit ye wangel ye quhilk
 commandis thayme to be noth as kingis and princis / bot to be
 content of necessar thyngis that is to say of meit and claitis as
 S. paul writis in the vi ca. of his first epistil to timothe The
 secund causz is thair voluptuousz and flesclie liff (quhilk thay
 haiff of the sweet and bluid of the pur) and as the suine tram-
 pis the precious peiclis onder thair feit / sua thyr flesclie men
 lichtlis the precious peicel christis wangel / maruel ze nocht thair
 of / ye causz is ye vantage of Godis spreit quhilk onlie loris to
 know ye giftis of god / as S. Paul writis in ye ii c. of his
 first epistil to ye corinthians The thrid and principal causz is
 the sekis R. and R. quhilk ar rissine laitlie in the kirk and
 prechis dreimis and fablis and ye tradicions of men and nocht
 the vangel and giff ony amangis thayme wald prech it and nocht
 thair tradicions thay ar haldine for heretikis / as ze knaw be
 experience of Patrik Hammiltone quhom thay pat creuellie to the
 deid bot now he liffis with christ quhom he confessit befor ye
 princis of this wardil bot ye voce of his bluid cryis zeit vith
 ye bluid of abel to ye herwine / our halie fader ye paip and his
 bischopis giffis ane part of ye spulze quhilk thay reiff fra ye

ptoir to thir forsaide sekkis and thinkkis pat thay supple thair
office the quhilk is nocht in verite for sanct Paul sais in the
iii c. of his first epistil to timothee ane bischoip man be ane
prechour heir Paul sais nocht pat it is sufficient to ane bischoip
to haiff ane preachour to supple his office bot him self suld be
ane techour and preachour of his pepil / bot alace thay wil noder
prech thair self nay zeit suffer oders quhilk wald prech the
chrissine and heillful doctrine / the machomettis and the turkis /
the Jowis and oder infidelis wil suffer to prech thair lawis
amangis thayme / bot thay quhilk haldis thayme self for heid-
dis to the chrissine pepil wil nocht suffer Christis doctrine to
be precht to thayme / quhilk thay haiff al professit in thair
baptisme to lyff thair efter quhair of thay sal alsua al giff count
apone the day of dwme / belewe suerlie in God ze sal heir the
vangel precht amangis zow as amangis oder pepil for it is his
will that ze be saiff and cum to the knowlege of his nayme
thair for to raisz your hartis to desir the same of your heuillie
fader be his help I sal heir declair schoortlie to zow quhat is the
vangel and to quhome almightie God reuellt it first the quhilk
ze cane nocht perfittlie onderstand excep ze onderstand the law ye
quhilk ii hes diuerse strinthtis / the law schawis zow your seik-
nes ye vangel schawis to zow remeid ye law is ye ministra-
cione of onrest and deid / the vangel is the ministracione of lif
and pece / the law schawis to zow your sinis ye vangel schawis
zow remissionne / the law is the strintht of sine / the vangel is
the strintht of heil to al quhilk belewis / the law is ane doctrine
the quhilk commandis the thingis quhilk ar guid and richtus
and schawis quhat is sine / the vangel is the promis of grace and
the marke of god / as forgiffne of sine and ye kindnes of god to
wch be the quhilk we ar maid suer pat al our sinis ar forgif-
fine and pat God helz casauit vs in his fauoris / this promis

easis and quiknis our hartis to luff and love and reioys in god
 this promys is fulfillit in christ quhilk wes first mircklie bot
 efteruert cleirly reuelit quhen Adam sint he oblist him self
 and al his ofspring to the eternal deid / without dout he haid
 disparit haid nocht God of his greit marcie confortit him be
 promys of grace sayand to the serpent / ye seid of woman sal
 tramp dwne thy heid this promys is the vangel or ioiful tithan-
 dis the quhilk God reuelit first to adame throw the quhilk he
 wes wpraisit in his hart and trowit in this ioiful promys and
 thairthrow he wes maid richtus Efteruert God maid ane pro-
 mys to abrahame Genesis xxi that al pepil suld be blissit in his
 seid the quhilk cane nocht be onderstand oðerwis bot of christ
 as S. Paul writis in the iii to the galathians thay bar al saiffit
 quhilk beleuit in this promys maid to abrahame this is the ioiful
 and suet promys quhilk is commendit in diuers placs of the new
 treatament and specialie in the iiii chaip. to the romans quhair
 it is said that abraham belewand in the promys of God wes maid
 richtus God promist to Dauid (as it is writine in the vii c. of
 the secund booke of kingis) sayand I sal rais thy seid efter the
 quhilk sal cum of ye and I sal mak his kingdome suer for
 euer / and for this promissis christ is callit sum tyme the sone
 of Dauid / and sum tyme ye sone of Abrahame / ane diligent
 reder ma collec to gide al the promissis of christ ye quhilk ar
 na oðer thing bot the vangel the quhilk ar richt profetabil to
 reid and remember apone / for thay rais and streinthis our
 waiknes for he quhilk maid thayme to wes is faithful and ful
 of strinht / in this maner efter ye fal of Adame incontinent
 god reuelit the vangel / bot efteruert be successione of tyme
 maie cleirly And quhen the tyme wes cum preordinat be god
 he fulfillit his promys as S. Paul writis in the first chaip. of
 his epistil to the romans / Paul the seruand of Jesu christ

callit to ye office of ane apostil setwert to prech the vangel (or blitht tythandis) of god quhilk he promist befor be his prophetis in ye halie scripturs of his sone quhilk wels borne of the seid of David as pertenant to the flesch And in the first ca. of his ii epistil to Timothe he sais thynk nocht scheyme to beir vitnes of our lord Jesus Christ / nay think nocht scheyme of me quhilk am bwnd for his saik bot suffer aduersite with the vangel throw the power of god quhilk hes deliuerit and callit vsz witht ane halie vocatione / nocht efter our varkis bot for his preposz and grace quhilk wels giffine to wls throw Christ Jesu or the beginning of the vardi bot is now declarit opinlie be the apering of our salufour Jesu quhilk hes distroyit deid and hes brocht liff and immortalite to licht throw ye vangel / ye vangelistis beris vitnes yat God fulfillit his promis as we reid in ye i c. of S. Math. quhair he beginnis sayand this is ye bwik of ye generatione of Jesus Christ / ye sone of David / ye sone alsua of Abraham / ye law as I said befor is ye ministracione of deid ye quhilk schawis to zow quhat is sine and confundis and sleis and slais zour conscience and giffis nay strinth to zow to forbeir sine / ye vangel is ye ministracione of liff ye quhilk rasis and quiknis zour slepit conscience and giffis ye spreit to fulfil quhat ye law commandis this is neidful to onderstand giff we will knaw in quhat maner we quhilk ar borne ye bairnis of it ar maid richtus befor god quhen ye law schawis to wls our sine and condannatione it causis wls to dispaire / bot we ar maid richtus quhen we belewe in ye word of grace ye vangel quhilk God promist to wls in Christ ye quhilk is forgiffine of our sinis and ve inheir to hime be faith doutand nocht bot his richtusnes is ouris his halines is ouris / his satisfacione is ouris / his resurrectione is ouris / schortlie nocht doutand bot

our sinnis ar forgiffne throw hime and we ar rassuit in ye fauoris of God / Neyne of our vackis makis wtz richtus quhow guid (or quhow meritabil as mony callis thayme) thay apeir hot alaneclie faith of ye marcie and grace of God (throw Jesus Christ) as ye prophet Abac. sais in his ii c. The richtus liffis of faith and S. Paul sais ii c. of his epistil to the Gal. I liff of ye faith of ye sone of God quhilk lwiffit me and gaff hime self for me I lichtlie nocht ye grace of god for giff richtusnes come of ye law thane Christ deit in uane / alsua he sais in ye iii c. to ye Ro. Richtusnes in ye seicht of God is be ye faith of Jesu Christ / and in ye iiij c. of ye same he sais to hime pat trowis in hime quhilk makis ye ongodlie richtus faith is reknit for richtusnes / faith is noth ane wayne opinione or ane dauerstand thocht quhilk ony herand ye historie of ye vangel may haiff ye quhilk renewis noth ye hart nay causis nocht ane new liff nay hesz nay guid warkis or frwittis solouand efter / weray faith is ye wark of God in wtz throw ye quhilk we ar new borne be his halie spreit and ar maid new creatures to God / Faith wickis throw lwiff (and cane noth be ydill) as S. Paul sais in ye v c. to ye Gala. and of it cumis guid vackis as guid frwit dwis of ye guid tre / ye man quhilk hesz veray faith curis noth quhider guid vackis be commandit or noth / zet supposz that war nay law / faith causis hime to wick throw lwiff godlie and chrissine vackis / he quhilk dwis noth his vackis with ane godlie and quik lwiff he is zet onfaithful / and al his vackis ar bot sine faith is ane constant and stouer beleue of ye marcie of God to vsz quhilk is quik in ye hart and wickis michtlie and makis ye hart blith and ioyful and rasis it in suert lwif to God and starkis ye hart pat it seris noth deid nay ony oder creatur this causis ye spreit of god quhilk cumis in ye hart throu faith / it

cane noth be pat this faith be in ony bot guid varkis (or frwittis) man cum of it siclik as heit procedis fra ye fyr / and the bemis fra ye sone / I pray God quhilk commandit with his word licht to spring of mirknes pat he scheyne in zour hartis and illuminat zou in ye chrissine faith for it is ye gift of God and cumis noth throw warkis / nay industrie of man / this faith is veray iustice or richtusnes in ye seicht of god quhilk renewis and makis ane man sua according to ye diffinitione of iustice (or richtusnes) pat he giffis to euerie man his aune quhen we ar maid richtus throw faith quhairthrow we raseue ye spreit quhilk causis wls to lwiff ye law thane we giff louine and honour to God quhilk pertenis alanerlie to hime / and alsua quhen we trow pat we ar reconsalit to God throw ye deid of Christ frelie without our merit is and knawis pat he did say greit kindnes to vs thane we dw al pat we cane ze is redy to giff our liff for our bredir / quhen ye phariseans and pyntit ypocritis quhilk vald mak thair selff richtus throw thair aune varkis as ye pridful pharesiane did of quhome S. Luc writis in his xviii c. heris pat we ar maid richtus throw faith and throw nay varkis thay murmur and cryis heresie heresie thir new prechours condemnis guid varkis / o blind ignorance quhen sal thow be expellit out of thir hartis and quhen sal ye licht of verite scheyne : pat ze may cleirlye onderstand ye natur of faith and varkis and informe thayme of thair ignorance reid quhat ye halie apostil S. Paul sais of Abraham in ye iiii c. to ye Rom. quhair he sais quhat sal we say pat Abraham our fader fand as pertenant to ye flesh / pat is to say wels he maid richtus throu his varkis : he concludis pat he wels maid richtus befor god throw faith without ony varkis and he prewis this be ye scriptur quhilk is writine in the xv cha. of Genesis

pat faith wels reknit to Abraham for richtusnes or he wels cir-
 cumcidit / quhairfor giff ye vark of circumcisiōne quhilk God
 commandit to hime / ye quhilk wels ane precious vark of obe-
 dience aualit nocht to Abraham for richtusnes quhat is thane
 maie stuer nay pat our varkis makis wls nocht richtus in the
 seicht of God / bot siclik as abrahamis circumcisiōne wels ane
 sing (or ane takine) of ye richtusnes quhilk he haid throw
 faith / sus our varkis ar bot wtuert singis or taknis quhilk
 makis wls nocht richtus bot declaris and schawis that we ar
 maid richtus throw faith / siclik as ye guid scrowt declaris and
 schawis ane guid tre / as our Saluour sais in ye vii c. of S.
 Mat. quhais doctrine we suld heir giff we will be (as we ar
 callit) chrissine men / our heuinlie fader hes commandit wls
 to heir hime sayand this is my weilbelowit sone in quhom I
 dellit heir hime / as it is writine in ye xvii c. of S. Mat. Be-
 seek your heuinlie fader pat ze be nocht of thayme of quhome
 ye propheet Esaias spekis in his vi c. ze sal heir with your
 eris / and sal nocht onderstand / and ze sal se with your eyne /
 and sal nocht se / for ye hart of this pepil is varit gross / and
 pai ar dul to heir with thair eris and thay haiff closit thair
 eyne pat thay suld nocht se nay heir with thair eris nay onder-
 stand with thair hartis and suld turne pat I might heil thayme /
 as S. Paul sais in ye iiii c. of his ii epistil to ye Cori. Giff
 our vangel be hid it is hid amangis thayme quhilk perissis /
 in quhome ye God of this vardiil hes blindit ye myndis of
 thayme quhilk beleuis nocht that the licht of ye glorious vangel
 of Christ suld nocht scheyne to thayme be var with the fals
 prophetis quhilk cumis to zow in scheipis clais (and in reli-
 gione of angels) pat pai spulze zow nocht of this doctrine and
 iuge the spretis giff thay be of god for sathane transfigures

hine selff in ye angel of licht ffaie now veil and cassane this
service of your pwtie seruand / ye fauor of our lord Iesus
Christ / and ye twiff of God and the companie of ye halie
spretit be with zow al . A M E N ¹

✠ ✠ ✠
✠ Printed in Malmö / Be me Thome
Hochstraten the xvi day of
October Anno M D
MIII

¹ In Panzer's *Annales Typographici*, vol. vii. p. 374, mention is made of two books printed at Malmö, in Sweden, ("Malmogia, in Scania,") in the years 1529 and 1530, by Olaf Ulricksen; and also (ib. p. 273) of a work with this imprint, "Lubecae, apud Joannem Hochstratanum typographum, anno ab Incarnatione Domini 1531, in Augusto." It would appear from Gau's volume that Hochstraten had removed from Lübeck to Malmö, in 1533, as there is no reason to imagine that the imprint is fictitious. The above colophon is an exact facsimile of the original.

In the foot-note to page 347, a passage is quoted from the Appendix to Knox's History, which requires emendation in both places. It should stand thus:—"Many years ago, in passing through that town [Malmö, and also in the neighbouring town of Lund,] the seat of a University, I had the curiosity," &c. The words inclosed by brackets having accidentally been omitted.

The exact orthography of the original is preserved as a curious and early specimen of the vernacular language. Such peculiarities or typographical mistakes, as *noth*, *noht*, for *not*, *nocht*, *oder* for *other*, *wsz*, *hesz*, for *us*, *has*, and *wardil* for *world*, are retained; and it is only matter of surprise that the earliest work of the kind printed in a foreign country should be so accurate, allowing for the idiomatic expressions of the author.

**AN ADVERTISEMENT
AND GENERAL QUERIES
FOR THE DESCRIPTION OF SCOTLAND,
BY
SIR ROBERT SIBBALD, M.D.
HIS MAJESTIES GEOGRAPHER FOR SCOTLAND.
M.DC.LXXXII.**

VOL. III.

▲ ▲ ▲

SIR ROBERT SIBBALD, an eminent naturalist and industrious antiquary, was born at Edinburgh on the 15th of April 1641. He commenced his academical studies in his native city, and prosecuted the study of Physic in the Universities of Leyden, Paris, and Angers. He took the degree of M.D. in 1662. In 1682 he received the honour of Knighthood from the Duke of York, when residing at Holyrood Palace.

In his Autobiography,¹ Sibbald, after noticing his intimacy with James Earl of Perth, Justice General, and afterwards Lord High Chancellor of Scotland, says, "It was by his incouragement, that to the inquiry after the naturall products of the Kingdome, I added the inquiry after what concerned ane exact Geographicall Description of it; and by his procurement, upon his informing Charles the Secund, what progresse I had made in these matters, his Majestie gave me a patent to be his Geographer for the Kingdome of Scotland, and another to be his Physitian there, and withall gave me his commands to publish the Naturall history of the country, and the Geographicall description of the Kingdome. This was the cause of great paines and very much expence to me, in buying all these books and manuscripts I could gett for that use, and procuring informations from all parts of the country, even the most remote Isles. I employed John Adair for surveying, &c."

"In order to the accomplishment of the Descriptione of the Kingdome, I did, in the year 1682, publish in our language ane Advertifement, and some generall Queries, copies whereof were sent all over the kingdome;

¹ See Maidment's *Analecta Scotica*, vol. i. p. 126-169. Edinburgh, 1834, 8vo. Some copies of this tract printed separately have the date 1833; and it forms the first portion of a volume entitled, "*Remains of Sir Robert Sibbald, Knt. M.D.*" Edinburgh, 1837, 8vo.

“ and from severall shyres and Isles, especially by the care of the reverend
 “ Mr Murdo Mackenzie, Bishop of Orkney and Shetland, full informationes
 “ were sent to me by severall learned men ; and the reverend Bishop of the
 “ Isles, Mr Grahame, sent me some. Since that tyme, ane excellent de-
 “ scription of the Orkney Isles was sent me by Mr James Wallace,¹ Minister
 “ of Kirkwall, and a full account of Galloway by Mr Sympson, Minister.²
 “ The Countess of Arrall, sister to the Earl of Perth, sent me a description
 “ of Buchan, and was pleased to do me the honour to grave two plates, one
 “ of silver, another of copper, she sent to me, and the draught of some
 “ fowles done by herself, admirably fine.³

“ In the yeare 1683, I published in Latine the *Nuntius Scoto-Britannus*,
 “ *sive Admonitio de Descriptione Scotiae Antiquae et Modernae*, where the
 “ King's patent [dated 30th September 1682] constituting me Geographer
 “ is insert ; and there is ane account of the work, and titles treated of in it.
 “ There is a division of the Country most naturall, from the great rivers and
 “ neckes of land, parting it in so many peninsules ; there is ane account of
 “ the Manuscript and printed books that relate to the Descriptione.

“ At the same tyme, I published in English ane account of the Descrip-
 “ tion of Scotland, ancient and moderne, where there is a division of the
 “ country, and ane account of the worke, and withall of the relations and
 “ informations given in for the work by the persons there mentioned.”

The Advertisement and General Queries are here reprinted, along with
 a subsequent Advertisement and Proposals for his *Scotia Illustrata*, in
 two volumes.⁴

¹ It was published by Sibbald, at Edinburgh, 1693. See *supra*, page 28, note ².

² Symson's Account of Galloway, with other topographical descriptions of that district, was printed at Edinburgh 1823, 8vo. The work was edited by the late Thomas Maitland, Esq. of Dundrennan, afterwards one of the Lords of Session.

³ The small plate, No. 8, in Sibbald's *Scotia Illustrata*, of a vessel in full sail, and a horse galloping, is marked with a coronet, and is probably that which was engraved on silver.

⁴ Indorsed by Wodrow, “ Proposals for *Scotia Illustrata*, 2 vols., 1709.”

No. I.

ADVERTISEMENT.

WHEREAS His Sacred MAJESTY, by His Patent, hath constituted Sir *Robert Sibbald*, one of His *Physicians* in Ordinary, His *Geographer* for His Kingdom of SCOTLAND, and Commandeth and Ordaineth him to publish the Description of the *Scotia Antiqua, & Scotia Moderna*, and the Natural History of the Products of His *Ancient Kingdom* of SCOTLAND. These are earnestly to entreat all persons, that they would be pleased freely to communicate their *Answers* to these following *Queries*, or any of them, Directing them to the said Sir *Robert Sibbald* at his Lodging at *Edinburgh*, or to Master *James Broun* at his house in *Harts-closs*, who is Deputed by the said Sir *Robert Sibbald*, to receive and Registrate them; or to *Robert Mean*, *Post-master* at *Edinburgh*, to be sent to any of them: Withall specifying in their Letters, the place of their Habitation, that they may be again Written to, if Occasion require; And an Honourable Mention shall be made of them in the Work, according to the importance of the Information.

General Queries, to which Answers are desired.

- I. What the Nature of the County or place? And what are the chief products thereof?
- II. What Plants, Animals, Mettals, Substances cast up by the Sea, are peculiar to the place, and how Ordered?
- III. What Forrests, Woods, Parks? What Springs, Rivers, Loughs? With their various properties, whether Medicinal? With what Fish replenished, whether rapid or slow? &c. The rise of the Rivers, and their Emboucheurs?
- IV. What Roads, Bayes, Ports for shipping, and their Description? And what *Moon* causeth High-water? What Rocks, and sholes on their Coast?
- V. What Ancient Monuments, Inscriptions, graved and figured Stones; Forts and ancient Camps? And what Curiosities of Art are, or have been found there?
- VI. What great Battels have been there fought, Or any other Memorable Action or Accident?
- VII. What peculiar Customs, Manners or Dispositions the Inhabitants of each Country or Town have among them?
- VIII. What Monasteries, Cathedrals, or other Churches have been there, and how named?
- IX. What places give, or formerly have given the Title to any Noble-man? As also, what ancient Seats of Noble-Families, are to be met with?

X. What the Government of the County is? whether Sheriffdom, Stewartry, or Baillery?

XI. What towns of Note in the County, especially Towns Corporate? The names of the Towns both Ancient and Modern? Whether they be Burrows Royal, of Regality or Barony? The Magistracy of Towns Corporated, when Incorporated? And by whom built? With the Return of Parliament-Men? The Trade of the Town? How inhabited, and their manner of Buildings? What Publick or Ancient Buildings? Their Jurisdiction? &c.

XII. In what Bishoprick each County or any part thereof is? Who is Sheriff, Stewart or Bailly? And who commands the *Militia*? What Castles, Forts, Forrests, Parks, Woods, His Majesty hath there? &c.

To the NOBILITY.

What Sheriffdomes, Bailliries, Stewartries, Regalities, Baronies and Burrows they have under them? What Command of the *Militia*? What special Privilege, Dignity and Heritable Command they have? The Rise of their Family, Continuance, and their Branches? What Forrests, Woods, Parks, Loughs, Rivers, Mines, and Quarries they have? What Fishing? &c. What Harbours they have? What their Titles are? What Memorable Actions raised or Aggrandized their Family? &c.

To the CLERGY.

What their Privileges and Dignities are? Their Erection? The Bounds of their Diocese? Their Chapter? The number of their Parishes in their Diocese? Their Jurisdiction, their Foundations for publick and pious Uses, their Revenues? What Lands hold of them? Their Houses? &c.

To the GENTRY.

What the Rise of their Family, their Privilege and Dignity? What Baronies and Burrows under them? What Harbours, what Forrests, Woods, Parks? Their Houses, the Description and Names of them? The Chief of the Name and the Branches? The Memorable Exploits done by them, and the Eminent Men of the Name? Their Heritable Command and Jurisdiction? &c.

To the Royal BURROWS.

Of what Standing? The Constitution of their Government? their Privileges, Jurisdiction and its Extent? Their publick Houses, Churches, Forts, Monuments, Universities, Colledges, Schools, Hospitals, Manufactures, Harbours? What their Latitude and Longitude is? &c.

To the UNIVERSITIES and COLLEDGES.

What Standing they are of? Their privileges, Jurisdiction and its Extent, their Constitution? The Number of the Professors, their Names, what they teach? Their Salaries,

Foundations, and their Founders ? Their Revenue and Dependencie ? Their Houses, Churches and Chappels, *Ædifices* and Monuments ? Their Libraries, Curious Instruments ? The account of the famous Men bred there, or Masters there ? What are the Observations of the Masters or Students, that may be for the Embellishment of this Work ?

The Answers to these proceeding Queries are to be Registrat, and to be Insert in their proper places.

The Answers to these Queries is earnestly desired that no person may complain, if what concerns them be not insert : For the Author is resolved to insert all that he is assured of the Truth, and certainty of, as Informed.

Imprimatur Jo : Edinburgen.

Edinburgh, Printed by John Reid, at his Printing-House in Bells Wynd. Anno 1682.

No. II.

ADVERTISEMENT BY SIR ROBERT SIBBALD.

WHEREAS His Majesty King *Charles* the Second, by His Patent dated at *Whitehall* the 30 day of *September* 1682, appointed me His *Geographer* for the Kingdom of *Scotland*, with all the Priviledges and Advantages belonging to the Office of *Geographer*, with full power to make Mapps and Descriptions of the Counties in the Kingdom, and the general Description of the Kingdom, and of the Royal Burghs Towns and Castles, and of the Monuments and other things remarkable therein, and to write the *Natural History* and Description of the natural Products of that Kingdom, their Nature, Vertues and Uses, and specially commanded and ordained me to publish the Description of *Scotland*, ancient & modern & the *Natural History* of the said Kingdom, with full power to print them in the *Latine* or *English* Tongues, or both, in what Form I please, either the whole Work, or the *Prodrome* of it, or any part of them, & to make use of any Printer I please, I thereupon printed the *Prodromus Historiæ Naturalis Scotiæ*, folio in the year 1684 : and since, I wrote the second part of the *Prodromus Naturalis Historiæ*, which with many Copper Plates, is now ready for the Press : as also I have made ready for the Press the Description of *Scotland* Ancient and Modern, both in *Latine* and *English*, according to the Scheme and Titles printed in the *Nuntius Scoto-Britannus de Atlante Scotico, sive Descriptione Scotiæ Antiquæ & Modernæ*, and the account of the

Scottish Atlas, both printed in the year 1683, and I have made several considerable Additions to what is mentioned in them, of which I think it fit to acquaint the Publick.

Additions to what concerneth SCOTLAND, as it was of old.

1 *Introductio ad Historiam Rerum a Romanis gestarum, in ea Britannia Borealis parte quæ ultra Murum Picticum est; in qua veterum in hac plaga incolarum nomina & sedes explicantur, cum Tabula Aenea nova Britannia integræ & Hiberniæ, & una hujus plagæ, juxta rectum ejus situm, & Icone Castræ Romani Iernensis.*

2 *Series Rerum a Romanis in Boreali hac Britannia parte gestarum, per Nummos Romanos & Lapides inscriptos illustrata.*

3 A large account of the *Thule* of the Ancients in *Latine* and *English*.

4 Historical inquiries concerning the Roman Monuments, & Antiquities in the North part of *Britain* called *Scotland*, in which there is an account of the Roman Walls, Ports, Colonies and Forts, Temples, Altars, Sepulchers and Militarie ways in that Country, and of the Roman Forces lodged there, from the Vestiges and Inscriptions yet remaining, and from the Urns, Medals, Measures, Buckles and Arms, and such like Antiquities found there, with Copper Cutts of most of them.

Additions which relate to SCOTLAND, modern, or, as it is now.

1 The general Description of the North part of *Britain* as it is now, with the particular Description of each Countie, from the Originall Papers of Mr *Timothy Pont*, *Gordon of Strathlough* and his Sons, Sir *James Balfour*, Mr *David Buchanan*, and severals of the Gentry and Ministers, who gave in Descriptions to *Scotstarbet* when he published the *Mapps*, and from such as have been done of late, from new Surveys of the Country.

2 A full Description of the Isles of *Orkney* from severals residing there.

3 A large and accurate Description of the Isles of *Shetland*, with the names of the Ports, Havens and Harbors within the Country of *Shetland*, from the most intelligent persons residing there, to which is subjoyned an Answer to *Thormodus Torfæus* his Book, asserting the Claim of the King of *Denmark* to them.

4 A Description of the West Isles, from severals who travelled through them or resided in them.

5 A Description of the Isles in the *Firth* of *Forth*.

6 The Course of Floods, with the Rocks, Dangers and Shelves, Sands, Roads, Creeks and Bayes round about *Scotland*.

7 An account of the Fishes taken in the Firths of *Forth*, *Tay* and *Clyde*, and of these

taken in the Seas which inviron *Scotland*, and the Isles belonging to it, with an account of the great Bayes, or Salt-water Lochs, where the best fishing is.

8 An account of the Minerals and Metalls found in *Scotland*, with the Historie of the working them, since the time of King *James* the 4th, when they were first discovered.

Account of the new Mapps and Draughts not printed in Bleaus Atlas of Scotland.

- 1 *Novæ Tabula Albionis & Hiberniæ cum additamentis.*
- 2 A large Map of the *Orkney* Isles, with the Anchorages marked in the Roads and Bayes.
- 3 The Map of *Etrick Forrest*, or *Selkirk* Shire, not published.
- 4 A compleat Map of *Annandale*: that which was published being only of a part of it.
- 5 The Map of the *Mearns* not published.
- 6 The Map of *Angus* done by Mr *Robert Edward*, not published in *Bleaus Atlas*.
- 7 *Kinross* Shire done by it self.
- 8 The *Stewartrie* of *Monteith* done by it self.
- 9 The east part of *Fyfe* done by *John Adair*.
- 10 The Map of East *Lothian* by it self done by *John Adair*.
- 11 The Map of Mid-*Lothian* by it self, by *John Adair*.
- 12 The Map of West *Lothian*, by *John Adair*.
- 13 The Map of *Strathern*, *Stormont* and *Carse of Gowrie*, by *John Adair*.
- 14 The Map of the Country about *Stirling*, by *John Adair*.
- 15 The Map of *Clackmanan* Shire, with the Turnings of *Forth*, by *John Adair*.
- 16 The Map of the West of *Scotland*, containing *Clidsdale*, *Nithsdale*, *Renfrew*, and the Shires of *Air* and *Galloway* by *John Adair*.
- 17 The Map of *Coygach* and *Loch-Broom*, famous for the *Herring* Fishing.
- 18 Several Draughts of *Danish* Monuments in *Scotland*.
- 19 The Draught of the Cross *Mackduff*.
- 20 The Draught of the *Bass*.

It cost me above a thousand Pounds Sterling to bring the Work this length, and now, if due incouragement be given, it may be published. It is hoped and desired, that the Government may consider and encourage it, since it was done by publick Order, and tends to the benefit of the whole Island.

No. III.

PROPOSALS FOR THE

Scotia Illustrata ; Or, *Prodromus Historiæ Naturalis Scotiæ*. In two Volumes in Latine Folio. And for these Essays concerning the *Roman Antiquities* in the North part of *Britain*, viz. :—

An Essay concerning the *Roman Walls and Forts*. (17 sheets.)

Introductio ad Historiam Rerum a Romanis, in parte Britannicæ ultra Murum Picticum gestarum. (xi sheets.)

Series Rerum a Romanis in Boreali hac Britannicæ parte gestarum, per Nummos Romanos & Lapides scriptos illustrata. (10 sheets.)

An Essay to prove that the Ancient *Gothic* Tongue was the *Pictish* Language. (4 sheets.)

OF a thousand copies of the first volume which was printed, there being near two hundred unsold in the Author's hands, he hath now made ready for the press the Second Volume, and designeth to print only a few copies of it. (The 2 vollumes and 4 essayes at 40 shillings sterling.)

IN the second volume all the copper-cutts are to be placed, which are now done for an hundred particular subjects relating to the work, and are contained in fourty Tables: Some of the former Tables were cut a new, and many new ones are added to them.

THIS Second Volume consisteth of fourty sheets in print, beside the Tables: In the first Book of it, there are the observations the Author hath made upon the aquatic animals which haunt the Firth of *Forth*, and these amount to upwards of an hundred and fifty of several sorts, and their Names and uses are narrated; and such as are not mentioned by the Writers are described, and the Figures of the rarest of them are done in coppar-Plates. There is likewise in the first Book, an account of the Sea Fowls which frequent the isles and rocks of the Firth of *Forth*, and there are descriptions and Figures of some of the rarest of them. There is also an Account of the plants which grow in the isles and rocks, and are found upon the coast of the said firth. And withall, there is an Account of the Minerals, Metals, and Marine Substances cast up in the firth, or found upon the coast thereof, and an account of the odd currents and leakies, as they are called, in the upper part of the said firth.

THE Second Book containeth the other supplements of the first volume; in it there is an account of the most useful and rare plants discovered since the printing of the first volume;

as also, of the animals terrestrial and aquatic discovered in other parts of the Countrey, and a more particular Account of the Minerals and Metals found in the Countrey, especially of the figured stones and petrifications since the printing of the first Volume; and the errors of the first Volume are corrected, and the objections of some learned Men are answered, and considerable Additions are Made to the other Treatises of the first Volume.

THIS second Volume is to be done with the same letter, and upon the same paper this proposal is done on.

THE first and second of these Essays are printed already in the same letter these proposals are done on, and shall be delivered in sheets without the cuts to the Subscribers for both the Volumes, upon payment of the first Moyety, being 20 Shillings *sterl.* (and with them the first Voll in sheets without cutts.)

AND the Second Volume with the cuts both of the *Prodromus* and all the Essays, shall be delivered to the Subscribers for both Volumes upon the payment of the other Moyety, being 20 shillings *sterl.* in *November* next.

AND these who subscribe only for the Second Volume of the *Prodromus* and the four Essays at the rate of thirty shillings *sterl.*, shall upon the payment of ten shillings have the first two Essays already printed, without the cuts, delivered to them presently, and the second Volume with the other two Essays, and all the cuts, for the payment of 20 shillings *sterl.* more, in *November* next.

So soon as there are Subscriptions and Money advanced for an hundred copies of both the Volumes, in *South-Britain*, the Printer *James Watson* will begin to print the Second Volume of the *Prodromus*.

THERE will be obligatory Receipts for delivery of the Books, with the cuts, in sheets, got at the Author's Lodgings, and at Mr *David Freebairn* and Mr *Robert Freebairn* their shops at *Edinburgh*.

Sibbald's "Nuncius Scoto-Britannus, sive Admonitio de Atlante Scotico," &c., is a folio tract of ten leaves, printed at *Edinburgh* 1683. It was also added to his "Scotia Illustrata," 1684, which work is in fact the first volume of his projected publication. The impression, consisting of no fewer than 1200 copies, may account for its frequent occurrence and small pecuniary value. The English prospectus of his Atlas is entitled "An Account of the Scottish Atlas, or the Description of Scotland, Ancient and Modern, by his Sacred Majestie's special command, to be published presently by Sir Robert Sibbald, D.M., His Majestie's Physician in Ordinary, and Geographer for His Ancient Kingdom of Scotland. *Edinburgh*,

printed by David Lindsay, Mr James Kniblo, Josua van Solingen, and John Colmar, 1683." In folio, 6 leaves; with a separate leaf as an "Appendix to the former account of the Scottish Atlas."

Among Sibbald's Manuscripts, a 4to volume (marked W. 5, 17) contains transcripts, in a neat distinct hand, of "Papers and Informations in order to the Description of Scotland," which had been communicated in answer to his Queries. From the above Proposals it would appear that Sibbald, after an interval of upwards of twenty years, was desirous of completing his Work; and it is to be regretted that he should not have received the necessary encouragement to do so, as it could not fail to have contained much valuable and important information.

Sir Robert Sibbald died at the advanced age of 81, on the 9th of August 1722. His very extensive Library was sold by public auction in his house in the Bishop's Land, Edinburgh, in February 1723. The "curious collection of Historical and other Manuscripts," according to one of the articles of sale, was to be offered in one lot, at an upset price; and they were fortunately purchased, by the Faculty of Advocates, for the sum of £260. On the first of May 1744 his portrait was presented by his daughter, Lady Duntarvy, to the Royal College of Physicians, Edinburgh, of which he was one of the founders; and an engraving of it accompanied a Memoir of his Life, in one of the volumes of Sir William Jardine's Naturalist's Library (Ornithology, vol. ix. 1843, 12mo).

The following is a facsimile of Sibbald's signature, copied from a letter, dated in the year 1709, and addressed to "The Reverend Mr Ro^t. Woodrow, Minister of Eastwood." His Letters to Wodrow are included in the volume of Remains, mentioned at page 371, note.

*your devoted friend
and humble servant
R. Sibbald*

PROPOSALS
BY WALTER GIBSON, MERCHANT IN GLASGOW,
TO PERSONS WHO WISH TO TRANSPORT
THEMSELVES TO AMERICA.

M.DC.LXXXIV.

PROPOSALS

By Walter Gibson, Merchant in Glasgow, to such persons as are desirous to Transport themselves to America, in a Ship belonging to him, bound for the Bermudas, Carolina, New-Providence, and the Caribby-Islands, and ready to set Sail out of the River of Clyd, against the 20. of February in this instant year, 1684.¹

I. **T**O such as are willing to Transport themselves, with design to settle in *Carolina*, if they be able to pay for their Passage and Entertainment at Sea, and making the Voyage; The said *Walter Gibson* is content to Transport them at the rate of five Pound Sterling for each Man or Woman, and fifty Shillings Sterling for every Child, from two to fourteen years of age; and those under two years of age for nothing. And the Persons that are thus Transported, when they come to *Carolina*, are to have from the Government there, settled upon them and their heirs for ever; if they be Masters, seventy Aikers of Ground for themselves, and as much for every Child and Servant they take over with them, paying one Penny Sterling *per annum* for every Aiker: The payment of which Rent is not to begin till September 1689, till which time they are to pay nothing. And the Servants such Masters take over, after they have Served four years, are to have from the Government, to them, and their Heirs; for the like Quit-rent *per annum* fifty Aikers to each of them.

II. To such as are desirous to Transport themselves to the said Colony of *Carolina*, and are not able to pay their Passage; If they be Tradf-men,

¹ A copy of the above Proposals in the form of a broadside, is preserved in a Volume of Tracts collected by Lord Fountainhall, in the Advocates Library, marked AAA 1. 1. (No. 54). It has no place of printing, printer's name, or date.

who have past their Apprentisship in any Handy-craft: The said *Walter Gibson* is content to Transport them on his own Charges, they obliging themselves to Serve him three years, during which time he will furnish them sufficiently with Meat, Cloaths, and other neecessaries. At the issue of the time of their Service, they are to have settled upon them and their Heirs from the Government, each of them fifty Aikers of Ground, they paying one Penny Sterling *per* Aiker yearly, as above. And all others, Men or Women, from eighteen to forty-five years of age, they obliging themselves to Serve him four years; and those under eighteen years of age, they Serving him five years: at issue of which, they are to have each of them fifty Aikers of Ground *ut supra*, and their Meat, Cloathes, and other Neecessaries, during the time of their Service.

III. The said *Walter Gibson* will give his best advice to all such as will Transport themselves, anent these things, which will be necessary for them, to carry alongst with them; and hath at *Glasgow* Patterns of some Tools which are used there, which shall be showed to them. And these who go in this vessel will have the occasion of good company of several sober, discreet Persons, who intend to settle in *Carolina*, will dwell with them, and be ready to give good advice and assistance to them in their choice of their Plantations, whose Society will be very helpful and comfortable, especially at their first settling there.¹

¹ Whether the above scheme was attended with any success, is uncertain. In the "New Voyage to Carolina," London 1709, 4to, republished in 1714, under the title of "The History of Carolina, by John Lawson, Gent., Surveyor-General of North-Carolina," an incident worthy of notice is mentioned connected with the calamitous termination of the Darien Colony, as it refers to the fate of probably either Gibson himself or a near relation.

In December 1700, Lawson set out from Charleston, on his travels among the Indians, and on the second day reached a large desolate Island, called Dix's Island; when he says: "There lived an honest *Scot*, who gave us the best reception his dwelling afforded, being well provided of oat-meal, and several other effects he had found on that coast; which goods belong'd to that unfortunate vessel, the *Rising-Sun*, a Scotch Man-of-War, lately arriv'd from the *Isthmus of Darien*, and cast away near the Bar of Ashley River the 5th of September before, CAPTAIN GIBSON OF GLASGO then commanding her, who, with above an hundred men then on board her, were every soul drown'd in that terrible gust which then happen'd: most of the Corps being taken up, were carefully interr'd by Mr Graham, their Lieutenant, who happily was on shore during the Tempest." (P. 7.)

ADVERTISEMENT,

*To all Trades-men, Husbandmen, Servants and others who are willing to Transport themselves unto the Province of New-East-Jerfy in America, a great part of which belongs to Scots-men, Proprietors thereof.*¹

WHereas several Noblemen, Gentlemen, and others, who (by undoubted Rights derived from His Majesty, and His Royal Highness) are Interested and concerned in the Province of *New-East-Jersie*, lying in the midst of the *English* Plantations in *America*, do intend (God-willing) to send several Ships thither, in *May*, *June*, and *July* ensuing, 1684, from *Leith*, *Montross*, *Aberdeen* and *Glasgow*. These are to give notice to all Trades-men, Husbandmen and others, who are willing and desirous to go there, and are able to Transport themselves and Families thither, upon their own Cost and Charges, to a pleasant and profitable Countrey, where they may live in great Plenty and Pleasure, upon far less Stock, and with much less labour and trouble then in *Scotland*, that as soon as they arrive there, they shall have considerable quantities of Land, set out Heretably to themselves and their Heirs for ever, for which they shall pay nothing for the first four or five years, and afterwards pay only a small Rent yearly to the Owners and Proprietors thereof, according as they can agree. And all Trades-men, Servants, and others, such as, Wrights, Coupers, Smiths, Mafons, Millers, Shoe-makers, &c. who are willing to go there, and are not able to Transport themselves, that they shall be carried over free, and well maintained in Meat and Clothes the first four years, only for their Service, and thereafter they shall have considerable quantities of Land, set out to themselves and their Heirs for ever, upon which they may live at the rate of Gentlemen all their lives, and their Children after them: Their ordinary Service will be cutting down of Wood with Axes, and other easie Husband-Work, there

¹ From a printed broadside in the Editor's possession.

being plenty of Oxen and Horses for Plowing and Harrowing, &c. Let therefore all Trades-men, Husband-men, Servants, and others who incline to go thither, and desire further Information herein, repair themselves to any of the Persons underwritten, who will fully inform them anent the Countrey, and every other thing necessary, and will answer and satisfie their Scruples and Objections, and give them all other Incouragements according to their severall abilities and capacities, viz.

At *Edinburgh* let them apply themselves to the Lord Thesaurer-Deput, the Lord Register, Sir *John Gordon*, Mr. *Patrick Lyon*, Mr. *George Alexander*, Advocates, *George Drummond* of *Blair*, *John Swintoun*, *John Drummond*, *Thomas Gordon*, *David Falconer*, *Andrew Hamilton*, Merchants; at *Brunt-Island*, to *William Robison*, Doctor of Medecine; at *Montross*, to *John Gordon*, Doctor of Medecine, *John Fullerton* of *Kinaber*, and *Robert* and *Thomas Fullertons* his Brothers; in the Shire of the *Mearns*, to *Robert Barclay* of *Vrie*, and *John Barclay* his Brother; at *Aberdeen*, to *Gilbert Moleson*, *Andrew Galloway*, *John* and *Robert Sandilands*, *William Gerard*, Merchants; in the Shire of *Aberdeen*, to *Robert Gordon* of *Chunie*, and *Robert Burnet* of *Lethanty*; in the Shire of *Pearth*, to *David Toshack* of *Monyvard* and Captain *Patrick Macgreiger*; In *Merss* Shire, to *James Johnston* of *Spoteswood*; At *Kelso*, to *Charles Ormiston*, Merchant; In the *Lewes*, to *Kenith Mackenzie* younger of *Kildin*: And if any Gentleman or others be desirous to buy or purchase any small shares or portions of Land in the said Province, they may repair to any of the foresaid Persons, who will direct them how they shall be served, providing they do it timouly, because many more Persons are dayly offering to buy, then can be gotten well accommodated.

There is nothing more strange then to see our Commons so besotted with the love of their own misery, that rather then quite their Native Countrey, they will live in much toyl and penury so long as they have strength, being hardly able all their life to acquire so much Riches as can save themselves from begging or starving when they grow old; mean time their Children (so soon as they are able to walk) are exposed to the Cruelties of Fortune, and the Charity of others, naked and hungry, begging Food and Rayment

from those that either can not, or will not help them: And yet can hardly be perfwaded to go to a moft profitable, fertile and fafe Countrey, where they may have every thing that is either neceffary, profitable or pleafant for the life of Man, with very little pains and induftry; The Woods and Plains are ftored with infinite quantities of Deer and Rae, Elcks, Beaver, Hares, Cunnies, wild Swine, and Horfes, &c. and Wild-honey in great abundance: The Trees abound with feveral forts of Wine-grapes, Peaches, Apricoks, Chaftnuts, Walnuts, Plumbs, Mulberries, &c. The Sea and Rivers with Fifhes, the Banks with Oyfters, Clams, &c. Yea, the Soil is fo excellent and fertile, that the Meadows naturally produce plenty of Strawberryes, Purpy, and many more tender Plants, which will hardly grow here in Gardens: Wheat, Ry, Barley, Oats, Peafe and Beans, &c. when fown yields ordinarily 20. and fometimes 30. fold Increafe, and *Indian-Corn*, which is a Grain both wholefome and pleafant, yields ordinarily 150. and fometimes 200. fold: Sheep never mifs to have two Lambs at a time, and for the moft part three, and thefe Lambs have generally as many the next year: The Winter lafts not ordinarily above two moneths; and one Mans ordinary Labour will with eafe and plenty, maintain a Family of ten or twelve Perfons; It was no wonder then that *Ogilvie* in his New-Atlas, calls this place the Garden of the World, and the Terreftrial Paradife: Why then fhould our Countreymen, in fpite of thofe and many other Incouragements, be detained at home, either upon no ground at all, or upon fuch frivolous fcruples and objections as thefe are.

First, they alleadge that it is a long and dangerous Voyage thither! To which it is answered, that ordinarily it is not above 6. or 7. Weeks failing from *Scotland*, which in a good Ship, well Victualled, and with good Company in the Summer time, is rather a pleafant Divertifement then a Trouble or Toyl, and it is certainly more dangerous to fail from *Leith* to *London* or *Holland*, then to *New-East-Jerfy*.

Next, they fay there is no Company to be had there fave Barbarians, Woods and Wildernefs! To which it is answered, that this is a great miftake, for this Countrey has been Peopled and Planted thefe feveral years by gone, fo that Horfes, Oxen, Cows, Sheep, Hogs, &c. are to be fold

almost as cheap there as in *Scotland*, and surely they are much better being all of the *English* kinds. Nor are the Woods there any thing so wild and inhospitable as the Mountains here; Savage Beasts there are none save Wolves, and those are only enemies to Sheep: The Natives are very few, and easily overcome, but these simple, serviceable Creatures, are rather an help and Incouragement, then any ways hurtful or troublesome: and there can be no want of Company, seeing there are many thousands of *Scots, English*, and others living there already, and many more constantly going over, and this Summer there are several Gentlemen going from *Scotland*, such as *David Toshach* of *Monyvard*, with his Lady and Family, *James Johnston* of *Spotenwood*, *Kenith Mackenzie* younger of *Kildin*, Captain *Patrick Macgreiger*, *Robert* and *Thomas Fullertons*, Brothers German to the Laird of *Kinaber*, and *John Barclay*, Brother German to the Laird of *Vrie*, *William Robison*, Doctor of Medicine, and many others, who are all Persons of good quality and Estates, and go not out of necessity, but choice.

Lastly, they object that far fetcht Fowls have fair Feathers, and they do not believe the truth of half what is Written and Spoken in Commendation of these Countreys! To which it is answered, they may as easily deny the truth of every thing which they have not seen with their own Eyes, for all these things are as verily true, as that there is any such pleasant Countrey as *France, Italy, Spain, &c.* The things being matter of Fact, are Confirmed by Letters from Persons of undoubted Credit, living on the place, and by certain Information of many Eye-witnesses, who having once been there, can never after be induced to live in *Scotland*, nor can it be reasonably imagined that the Persons above-written are all Fools, to be imposed upon by lies and Fancies; on the contrary, there are none (save those that are wise in their own Eyes, but are really Ignorant) that are not undeniably convinced of the excellency of the Design. Let but such as condemn it be so just as first to hear it and know it, which they may easily do by applying to some of the foresaid Persons, who can best inform them, and then if they think it not below them to be convinced, they will be forced to homologat.

VIVAT REX.

EXTRACTS
FROM THE ACTS AND PROCEEDINGS OF THE
PRESBYTERY OF HADDINGTON,
RELATING TO DR GILBERT BURNET,
AND THE LIBRARY OF THE KIRK OF SALTON.

M.DC.LXIV.—M.DC.LXIX.

DR GILBERT BURNET, Bishop of Salisbury, was born at Edinburgh on the 18th of September 1643. His family were connected with Aberdeen, and he received his education in Marischal College, having taken his degree as Master of Arts in the year 1657. He afterwards spent some time in England, and visited Holland and Paris. On his return to Scotland, the Church of Salton in East Lothian having for some time been vacant, Burnet, through the influence of Sir Robert Fletcher, obtained a presentation from the King, and letters from the Bishop of Edinburgh requiring the Presbytery of Haddington to admit him to his exarsination. Before his induction, however, on the 29th of January 1665, he was called upon to lament the death of his friend and patron. He soon afterwards published "A Discourse on the memory of that rare and truly virtuous perfon, Sir Robert Fletcher of Saltoun : who died the 13 of January last, in the thirty-ninth year of his age. Written by a Gentleman of his acquaintance. Edinburgh, printed by a Society of Stationers, Anno Dom. 1665." 12mo. pp. ix. 180. This little volume, the earliest of Burnet's publications, is anonymous ; and, in his address to the Reader, he calls it "the rude Effay of an unpolisht hand."

The following Extracts from the Presbytery Records of Haddington contain notices of Burnet during the period of his life, when, with great earnestness and assiduity, he filled the charge of a Parish Minister. In his turn he acted for a time as Presbytery Clerk, and the minutes are attested with his signature, of which the following is a facsimile :—

G. Burnet C. Pr.

On the 18th of November 1669, Burnet left Salton, having received an invitation to become Professor of Divinity in the University of Glasgow ; but the history of his life is sufficiently well known, to render any further details unnecessary.

The Library of the Church of Salton was founded by the bequest of Mr Norman Leslie for the use of the Minister of that parish. He was educated at King's College, Aberdeen, where he took his Master's Degree in 1631, having entered under George Leith, Regent, in 1627.¹ He had been tutor to the sons of Sir Andrew Fletcher, one of the Lords of Session, and this probably led him to St Andrews, where he appears to have been licensed in the year 1643. During a vacancy at Salton, in 1644, Leslie, who was the choice of the people, and of Sir Andrew Fletcher the chief patron, on the 4th of September 1644 "produced his testimonial from the Presbyterie of St Andrews, and another ample testimonie in Latine from the Univerfitie." His settlement in the parish of Salton was, however, opposed by the Presbytery. He afterwards received a presentation to the Church of Gordon, in the Presbytery of Lauder, 17th of August 1647; and died there in the tenth year of his ministry, 22d of July 1657.²

Burnet himself was not only a benefactor to the Library at the time of his translation from Salton, as appears from the following Extracts, but his attachment to his earliest charge was manifested, by bequeathing in trust to the Lairds of Salton and Hirdmanston and to the incumbent for the time, the sum of 20,000 merks, the interest "to be applied in different fums, for the following purpofes:—for the education and clothing of thirty children 'of the poorer fort;' for the erection of a new school-house, and affording a perpetual augmentation of the schoolmaster's salary; for the increase of a library, which had already begun to be formed, 'for the Minister's house and use;' and the remainder for relieving the wants of the neceffitous poor."³ This bequest, so applied to the education and clothing of poor children, still perpetuates the memory of Burnet in the parish of Salton. The Library, which was thus connected with the Manse, and which received donations from the Fletcher family, and other persons, is duly preserved, and additions made to it from time to time, by the Rev. James M'Watt, B.D., the present Minister of Salton.

¹ Registers of the University, printed for the Spalding Club, 1854, 4to.

² Information communicated by the Rev. Hew Scott, M.A., Minister of Anstruther Wester.

³ New Statistical Account, Haddingtonshire, p. 112.

EXTRACTS FROM THE ACTS AND PROCEEDINGS OF THE
PRESBYTERY OF HADDINGTON, RELATING TO DR
GILBERT BURNET, AND THE LIBRARY OF THE KIRK
OF SALTON.

M.DC.LXIV.—M.DC.LXIX.

Haddington, the 10 of November 1664.

This day, there was received and read a letter from the Bishop of Edinburgh in favours of Mr Gilbert Burnet, bearing that the said Mr Gilbert has received letters of presentation from the Kings Majestie to the Kirk of Saltoun, and withall desiring the Presbyterie to hasten his tryalls: for which effect he is appointed both to exercise and adde on Hosea 6 ch. 2 v. at the next dyet, which is to be this day fourtnight at Haddington: As also to have his Common head *De Papæ Infallibilitate*.

A Letter from
the Bishop in
favour of Mr
Gilb. Burnet.

Haddington, the 24 of November.

Exercised and added Mr Gilbert Burnet, likewise delivered his Common head, and was approven in all. Prescribes to him for his popular Sermon, John 15 ch. 7 v.; as also for his tryal in the Hebrew the 13 Psalm, and the Greek *ad aperturam libri*, and for ch. [chronology] on Daniel's 70 Weeks.

Haddington, the 15 of December 1664.

This day, Mr Gilbert Burnet delivered his popular Sermon, gave a tryall of the Originall tongues and of Sacred Chronologie, sustained his Thefes, answered some Catechetical questions, and was approven in these and all the former parts of his tryalls; and seeing he has finished his tryalls, the Presbyterie appoints him to have a testimoniall of their approbation of him.

Haddington, the 16th of March 1665.

[Mr Gilbert Burnet having been appointed Minister of Saltoun, his name appears in the Minutes of the Presbytery at this and at subsequent meetings, as taking part in the ordinary business of the Presbytery.]

Haddington, June 15.

Mr William Carmichael having a presentation to Athelstanefoord kirke, desires that one may be appointed to give him Institution. Appoints Mr William Trent to institute him.

Mr Gilbert Burnet lykwayes desyres that one may be appointed to give him Institution at Saltoun. Appoints Mr Laurence Charteris to give it.

Haddington, Julie 6.

Mr Alexander Vernor [Minister of Pencaitland] presented the names of the Papists within the familie of Wintoun; the Brethren appoint Masters James Calderwood, Gilbert Burnet, with the Minister of Pencaitland, to conferre with them.

Haddington, Julij 27 [and at some subsequent meetings.]

Continues Mr James Calderwood and Mr Gilbert Burnet in their commission to conferre with the Papists in Wintoun.

Haddington, the 12th of December.

Reported by Mr Alex^r Vernor and Mr Gilbert Burnet that they conferred with some of the Ladies of Wintoun, but without succeffe.

[At subsequent meetings Vernor and Burnet are continued in this commission.]

Saltoun, July 5th, 1666.

Vifitation at Saltoun. Mr Laur. Charteris preached on John 21, 15. Mr William Trent being absent, Mr Laurence Charteris was chosen Moderator *pro tempore*.

The Minister being removed, the Elders who were present wer interroget concerning his doctrine, discipline, lyf and conversation. All professed themselves well satisfied in the forsaide particulars. He [Burnet] being called in, was approven.

The Minister reporting also to the Presbyterie that Mr Norman Leslie, late Minister at Gordoun,¹ had mortified his Librarie to the Kirk of Saltoun for the use of the Minister thereof, and desyring the Presbyterie to lay down a way for securing the said Librarie for that effect, the Presbyterie appoint Mr Alexander Vernor with the Laird of Saltoun to visit the said Librarie, and to compare the same with the Catalogue of the Books contained there, left by Mr Patrick Scougal, late Minister at Saltoun, and to make report thereof.

Haddington, August 9th.

Reported by Mr Alexander Vernor that he with the Laird of Saltoun had visited the Librarie which Mr Norman Leslie had mortified for the use of the Minister of Saltoun, and that they found them intire, according to two Catalogues, one written by the late Laird of Saltoun,² and the other by Mr Patrick Scougal, late Minister at Saltoun.³

Appoints Mr Gilbert Burnett to bring the Catalogue of the said Books the next day, that they may be insert in the Registers of the Presbyterie for the better securing of them.

Haddington, September 6th.

This day, Mr Gilbert Burnett produced the CATALOGUE OF THE BOOKS mortified by MR NORMAN LESLIE for the Church of Saltoun. Appoints the Clerk to insert them in the Presbyterie Book : And they are as followes :—

¹ See page 329.

² Sir Robert Fletcher : see page 391.

³ Scougal became Minister of Salton 29th of January 1659. After the restoration of Episcopacy, he was preferred to the See of Aberdeen, and was consecrated on Easter-day, the 11th of April 1664. He died on the 16th of February 1682, in the 73d year of his age.

Impr. of a larger folio.

Ariæ Montani Biblia Interlinearia.
 Pagnini Thes. Linguae Sanctæ.
 Junij & Trem. Biblia Lat.
 Newman's Concordance.
 Thomæ Aquin. Summa Theologiæ.
 Wallæi Opera Omnia.
 Bodij Comment. in Epist. ad Ephes.
 Gomari Operum pars prima & 2da.
 Gomari Operum pars tertia.
 Chemnitij Harmonia in Evang.
 Paræi Operum Exegeticorum pars prima et 2da.
 Paræi Operum pars tertia.
 Paræi Operum pars quarta.
 The English Annotations, first edition.
 Bezæ Annotationes in Nov. Test.
 Calvini Institutiones.
 Eusebii, &c. Hist. Ecclesiastica.
 Fuller's Pisga Sight of Palestine.

It. of a lesser Fol.

Diodati his Annotations on the Bible.
 Forbesii Instructiones Historico-Theologicæ.
 Burges's his Spiritual Refinings.
 Burges's on the 17. of John.
 Davenantij Comment. in Ep. ad Collofs.
 Mr Pemble's Works.
 Bernard's Thesaurus Biblicus.
 Hayne's General View of the Holy Scriptures.
 Jermin upon Ecclesiastes.
 Stock upon Malachie.

The Expiation of a Sinner, or a Comment. on the Hebrews.
A volume of Jeremie Taylour's Sermons.

It. in 4to.

- Cartwrighti Harmonia Evang.
Riveti Comment. in Hoseam.
Voetii Selectarum Disp. pars prima.
Laurentii Explicatio locorum difficil. in Epist. Pauli.
Alstedii Theologia Casuum.
Laurentius in Petri Epist. primam.
Gerardus Vossius de Baptismo.
Therapeutica Sacra D. Dicksoni.
Alstedii Trifolium Propheticum.
Simpsoni Hieroglyphica.
Gauden's Defence of the Ministrie.
Spelman of Tithes.
Rutherfoord's Due Right of Presbyterie.
Gillespie's Aaron's Rod.
Gillespie his Miscellanie Questions.
Jus Divinum Ministerii Evangelici.
Jus Divinum Regiminis Ecclesiastici.
* Vindiciæ Ministerii Evangelici, by Mr Collings.
Vindiciæ Vindiciarum, by the same Author.
Provocator Provocatus, by the same.
* The Inconsistencie of the Independent way with Scripture, by
Mr Caudrie.
Baylie's Diffuasive from the Errors of the Tym.
Hudson's Vindication of the Essence and Vnitie of the Church.
Twisse against Mr Cotton.
The Dippers Dipt, by Mr Featlie.
Goodwin of Justification.

Jeanes Mixture of Scholastick & Pract. Divinitie.

Baxter's Proof of Infants Church Membership & Baptisme.

—— **His Apologie.**

—— **His Confession of Faith.**

—— **His Saints Everlasting Rest.**

Warren of Justification.

Trapp on the Pentateuch.

*** Scatter on the 4th Ch. of the Ep. to the Romans.**

Isaak Ambrose his Prima, Media, Novissima.

Burgefs of Justification, part 1.

Gurnal's Christian Armor, part 1.

Taylour's Explication of the Types, &c.

Colvil's Refreshing Streams.

Rutherford's Christ dying and drawing Sinners to Himself.

Strong's Select Sermons.

Griffith's God's building.

Christ's Alarme, by Mr Fenner.

Pinax Microcosmographicus.

Manton on James.

Woodbridge Reply to Eyre.

It. in 8°.

Paræi Catechetica.

Chemnitii Exam. Concil. Trid. pars 1 & 2..

Biblia Hebraica.

Rollocus de Vocatione Efficaci.

Hemmingii Postilla.

Polani Partitiones Theologicæ.

Buchanani Historia.

Aretius in Epist. ad Hebræos.

Clark's Mirour for Saints & Sinners.
 Hutcheson on Hos. Joel, Amos.
 — Id. on Hag. Zech. Mal.
 Gee his Treatise of Prayer.
 Fenner his Sacrifice of the Faithful, with 7 other Sermons.
 Fenner's Divyn Message to the Elect Soul.
 Fenner his Soul's Looking Glass, with a Treatise of
 Conscience.
 Fenner's Treatise of the Affections.
 Fuller on the Temptations of Christ.
 Cotton on Eccles. & Canticles.
 Ferguson on Phil. & Coloss.
 Goodwin's Tryal of a Christian's growth.
 The Reconciler of the Bible.
 Simon's Sight & Faith.
 Spurstow's Well of Salvation.
 Ross his View of Religions.

It. in 12°.

Collings Christian Lessons.
 Fyfe Sermons in fyve several Styles.
 Goodwin's Return of Prayer.
 — His Aggravation of Sin.
 John Goodwin's Saint's Interest in God.
 His Christian's Ingagement for the Gospel.
 Martialis Epigrammata.
 Antiquæ Historiæ, pars 2da.
 Watfon's Arte of Divyn Contentment.
 Roberts' Believers Evidences.
 Speech of the Kirk of Scotland to her Children.
 Herle's Christian Wifdome.

The lyf & death of Mary Simpson, by Mr Collings.

Nisbet his Golden Chaine of Tyme.

Theological Rules.

Ameſius de Conſcientia.

Mortoun's Touchſtone of Converſion.

Downan's Covenant of Grace.

Sanders's Balme to heal Religious wounds.

Catechizing, God's Ordinance, by Mr Crofton.

It. in 16°.

*Baxter's True Chriſtianitie.

Row's Gram. Hebr.

Vademecum, a Concordance.

Vincentius Lirenenſis adverſus Hæreſes.

Antidote againſt Arminianiſme.

Novum Teſt. Græc.

Buchan. Poemata.

Donn's Devotions.

Modern Policie.

A new Caſt of Characters.

It. Books without Covers.

The A&ts of the 2d Parliament of King Charles.

Church of Infant Baptiſme.

Cotton of Singing Pfalmes.

The Scripture Harmonie.

Jer. Taylour, his diſcourſes of Baptiſme & Prayer Extempore.

Ferriby his Lawfull Preacher.

A Treatiſe of the Church & Evil of ſciſme.

A Letter of the Miniſters of London to the General.

Worceſter Concord.

Besides these, there are the English Annotations, gifted by my Lady Marr, in folio, the first edition.

It. the Books of the Martyrs, 3 vol. in fol. gifted by my Lady Saltoun.

All the which Books Mr Gilbert Burnet did oblige himself to preserve found and intire, and at his departure from the Church of Saltoun, to leave them in the same case that he found them.

The Brethren of the Presbyterie, for securing the foresaid Books to the future, doe Ordaine, that each Minister, at his entrie to the Kirk of Saltoun, in all tyme coming, shall oblige himself in lyke manner that he shall preserve the foresaid Books, and leave them to his Successor in the case he found them.

Haddington, Maij 9. 1667.

Mr Gilbert Burnett chosen Clerk.

[The Minutes of Presbytery, from this date, are signed by him, as Clerk, Sept. 19, 1667, and March 26, 1668. See facsimile at page 391. At the meeting on the 23d of April 1668, Mr William Carmichael was chosen Clerk.]

Haddington, 18 November 1669.

The Church of Saltoun being vacant throw Mr Gilbert Burnet his removal, Appoints that advertisement be given to Mr Patrik Cook to preach at Saltoun at his first convenience, and declare it vacant.

The accompt which Mr Gilbert Burnet, at his removall from the Church of Saltoun, gave of the Books belonging to that Church, is as followeth:—

At Saltoun, 9 Novr. 1669.

The which day, Mr Gilbert Burnet being to leave his ministrie at Saltoun, did exhibit before the Laird of Saltoun, M^r Laur. Charteris, Minister at Yester, Walter Paterfon, Minister at Boltone, and William Carmichel, Minister at Athelstaneford, all the Books belonging to the Church of Sal-

toun, according to the Catalogue infert in the Presbiterie book, excepting onlie such books as are marked, viz. :—

[The names of the Books are not specified; but the mark affixed to four Books in the above Catalogue, indicates those which had not been found.]

Of which he could give no other accompt, but that by no deed of his own they were inferted.

Lykwayes, he added of his own, to the Librarie, the Books following, viz. :—

Comment. Suarez in 3. partem Thom. 5 vol. fol.

Idem contra Sectæ Anglicanæ Errores, in fol.

Ejusdem Opuscula de Div. Gra. pars prior et post.

Ejusdem Metaphysica.

Calvin. in Pentateuch.

Idem in Job.

Idem in Psalm.

Idem in Daniel.

Idem in Minores Prophet.

[Idem] in Evangel., sex vol. fol.

Haddington, 23 December.

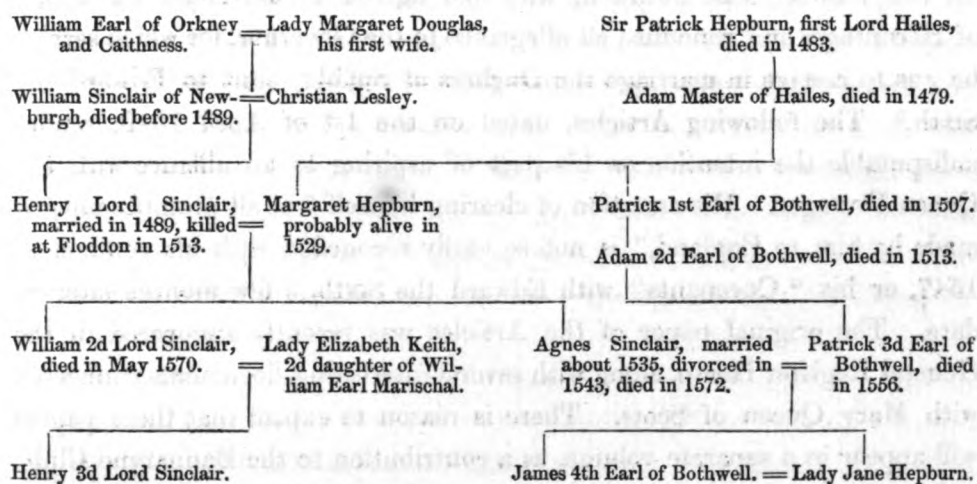
Mr Patrik Cook reported, that he had preached at Saltoun, and declared that Church vacant.

1674, *July 30.*—[In the Report of the Visitation of Saltoun Church by the Presbytery, it is mentioned, “That there are of utenfils belonging to the Church, viz. :—Two silver Cupps, gifted to the Church by Mr Gilbert Burnet at his dimiffion, a table cloth, a bafin for the Communion, and ane other for Baptifme, and two Towels, and a Church Bible.”]

LETTERS
OF PATRICK EARL OF BOTHWELL,
AND ARTICLES WHICH HE UNDERTOOK
TO MAINTAIN AT THE APPOINTMENT OF THE
KING OF FRANCE.
M.D.XLVIII.—M.D.XLIX.

THE following Letters of PATRICK EARL OF BOTHWELL are printed from the originals in H. M. State Paper Office; and in connexion with his "Fealty" to Edward the Sixth, in 1549, there is added, from Rymer's Foedera, the Instrument by which the King settled on the Earl an annuity of 3000 crowns, with an assurance of indemnity for his estates, which lay on the Borders.

In the prefatory notice to the Hepburn Charters, printed in this volume, it was remarked, at page 279, that the chief cause of the divorce of Patrick Earl of Bothwell from his wife Agnes Sinclair, was no doubt to facilitate his ambitious projects. Considering the degree of propinquity, as no other ground of divorce has been alleged, it is singular that a dispensation had not been obtained before their marriage; but even this may have been set aside by some technical informality. The following table explains their relation to each other:—



It may be added, that James Earl of Bothwell, at the Craigmillar conference, in December 1566, on the subject of the proposed divorce of Queen

Mary and Darnley, said, that his father and mother had been divorced, yet his titles, and offices, and estates, had descended lawfully to him.¹

Sir Ralph Sadler speaks of Earl Patrick as devoted to the French interest; and in a letter, dated 5th of May 1543, he says, "As to the Earl of Bothwell, who, as ye know, hath the rule of Liddersdale, I think him the most vain and insolent man in the world; full of pride and folly, and here, I assure you, nothing at all esteemed." On the 24th of that month, Sir William Parr, in a letter to the English Council, says, "that one called the Master of Hales, being chief officer or deputie to the Erle Bothewell in Ledisdale, dothe not onlie anymate the said Ledisdales to entreprise and attempte displeasures to Englande, promytting unto theym aide and assistance of fyve hundreth men if nede bee, but also diffuadethe theym from any bande favour or amytie to be takene with Englande; whiche, as me thinkethe, doth moche declare the said Erles affections to be correspondente to the same."²

After the Castle of St Andrews had surrendered, in July 1547, a register was discovered, from which it appeared that a number of Scottish noblemen and gentlemen had secretly bound themselves to the service of England. In this number was Bothwell, who had agreed to surrender his Castle of Hermitage, and renounce all allegiance to the Governor, for which service he was to receive in marriage the Duchess of Suffolk, aunt to Edward the Sixth.³ The following Articles, dated on the 1st of April 1549, render indisputable the intention on his part of aspiring to an alliance with the Queen Dowager. His assertion of clearing himself "of all promyses alleged made by him to England," is not so easily reconciled with his conduct in 1547, or his "Covenants" with Edward the Sixth, a few months later in date. The original paper of the Articles was recently discovered in the General Register House, along with several interesting documents connected with Mary Queen of Scots. There is reason to expect that these papers will appear in a separate volume, as a contribution to the Bannatyne Club.

I avail myself of this opportunity to supply some additional documents con-

¹ Chalmers's *Queen Mary*, vol. i. p. 301.

² *State Papers*, vol. v. p. 300.

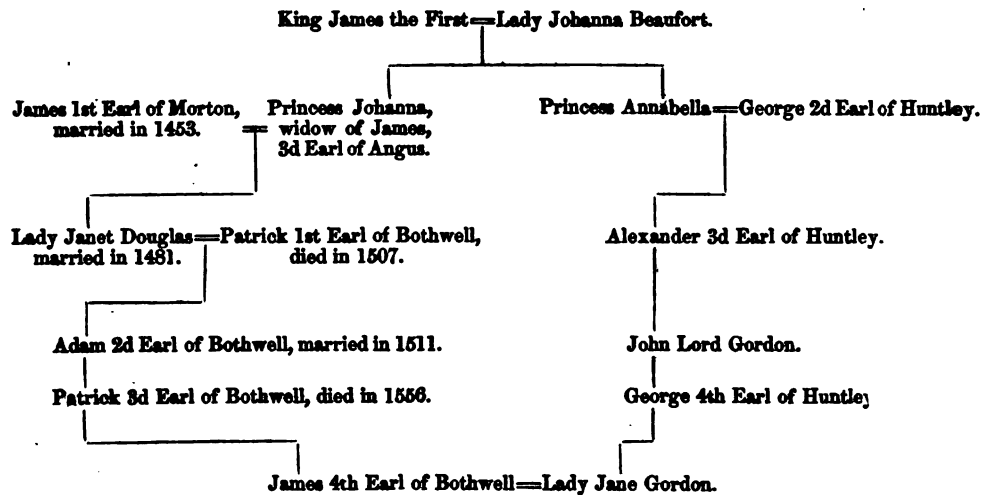
³ *Tytler's History of Scotland*, vol. vi. p. 16.

nected with the Hepburns, chiefly from old Haddington Protocol books. One of the extracts establishes the fact that Agnes Stewart, Countess of Bothwell (mother of Earl Patrick), married for her third husband Cuthbert Ramsay, Captain of Orichton Castle. He was the second son of Nicholas Ramsay of Dalhousie, who died in 1554. His name does not occur in Wood's Peerage, but among the Dalhousie Papers is a deed of "acquittance," dated 10th of May 1559, in which he is styled "Cuthbertus Ramsay, frater germanus Georgii Ramsay de Dalhouffy." At the time of her first marriage with Adam Earl of Bothwell, she had a charter settling on her in liferent the Lordship of Orichton, with the Castle, &c., 28th of August 1511. A charter of alienation of £10 annually out of the lands of Cockpen, &c. was granted by Margaret Douglas, wife of James Ramsay of Cockpen, 10th of June 1552, in conjunct fee, "honorabili domine Agneti Stewart, Comitisse de Bodwell et Cuthberto Ramsay suo sponso." The letters of legitimation which she obtained under the Great Seal, dated 31st of October 1552, were evidently connected with her third marriage; but how long she survived has not been ascertained.

In one of these Protocol books is recorded the Charter of the half lands of East Craig, granted by Patrick Earl of Bothwell, "*Dilecto Patruo* Patricio Hepburn de Boltoun," in 1544. This fully confirms the similar words contained in the Sasine, mentioned at page 292; and leaves no doubt that Patrick Hepburn, so long styled "Master of Hales," was a younger son of Patrick first Earl of Bothwell. It may have been on account of his youth that he remained at home, while his elder brother, his uncle Sir Adam Hepburn of Craggs, and so many of his relations, accompanied James the Fourth, and shared in his calamitous fate at Floddon in 1513. We also find along with the names of Patrick Hepburn, Master of Hales, and Nicholas Hume his spouse, in 1529-30, that of "Patrik Hepburn, son and apperand air to the said Patrik Hepburn, Maister Hailis." In August 1536, Alexander Hume, eldest son of George Lord Hume, styles the latter "*predilecto consanguineo meo*." In July 1541 this Patrick filled the office of Sheriff-Depute of Edinburgh, for the constabulary of Haddington. For aught that

we can discover, he may have died unmarried before 1558. Should this have been the case, it might furnish a satisfactory reason for James Earl of Bothwell fixing the destination of the Earldom, in the event of his leaving no heir to the title, in favour of William Hepburn, brother of Hepburn of Waughton.

It is evident that some radical error exists in the table of consanguinity exhibited in page 308, and explaining the ground on which James Earl of Bothwell obtained a divorce from Lady Jane Gordon. That they were however related, might have been proved as follows:—



The Earl of Bothwell was likewise, by another line, descended from the widow of King James the First, his grandmother Agnes Stewart being the natural daughter of the Queen Dowager's second son, the Earl of Buchan, by her marriage with Sir James Stewart, the "black knight of Lorne."

The following is a facsimile of Bothwell's signature to a charter in the Editor's possession, dated at Moram, 28th January 1563 [4]:—

James Erle Bothwell

LETTERS OF PATRICK EARL OF BOTHWELL.—1548–1549.

I.

Plefit vnto zour Grace : I wes desirrit be my Lord Gray to remowff frome Bervik to Anwik & thidder pvoyt be one gentelman afor the cummyng of your gracis letter, direct vnto the Lord Gra, for my fure paffage towart Scotland: quhilk letter I cawffit be transportit vnto the Lord Gra: no thing succedit thairupone tweching my paffage: but hes mowit him contrarie vnto my purpof & desir, So that my staving heire at Anwik (otrar to my trust & hoip I haue in your grace), will be my heirschip and rwyne extreme: wythout I ma haue hastily w^t this berar your Graces fure pasport quhairby I ma transport my self & baggage in my cuntra. And now my haille confidens standing in your grace onlie, I hwmillie beseik that I ma haue w^t this berar this letter of pasport of 30^r grace accordanlie quhair as It wes given me to vnderstand of fure paffage befor my departure frome Loundon: I will no^t molest 30^r Grace be longar wryting^t fen this berar will declare forther in my affaris be tounge, so that it will pleß your grace gyff credens unto him: And thus the Almy^ty Lord preferue your grace, of Anwik the vij day of August 1548.

Your Graces hwmill servitour at power,

ERLE BOTHWILLE,

AMIRALL.

(Indorsed)

To my Lord Protecto^r grace.

II.

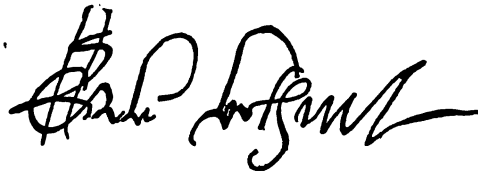
Efter my most herty commendations this salbe to lat you wit that sence my depertyng frome Londoun it is schawin to me that my lord of Lenox

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fuld be miscontentit with Mr Steward, becawf his desyre is to serffe the kyngf Ma^{ty} in my cumpany; but I wald be glaide to se my lord of Lenox cum t̄ be desyruf to serffe him selff, nor to se him angry with fuche as ar willyng to serffe, so that the kyngf Ma^{ty} myght be serffit wth vs all togider: Howbeid I traist to fouchē tyme as my lord of Lenox may be in radynes to cum t̄ serffe, that ye will put my lordē g / in remembrance that I ma have the company of Mr Steuard with the rest of the gentillmen that ar desyruf to serffe fouchē as his / g. / fall thynk meit: thus untrubellit you with langer letter till I have other occatioun, I will most hertly bid you well to fair, from Wair this v. of September.

Be yo^r affured lovyng freind,



(Indorsed)

To the ry^t worshipfull S^r Thomas Smy^t kny^t,
one of the Kyngē Ma^{ty} two Prinsepall
Secreta^{ry}s, &c.

—(In an old hand)

v^o Septembris 1549.

Therle Bothwell to my Mr.

III.

In the name of the blessed Trynitie, Amen. I, PATRIKE ERLE BOTHEWELL, of the good will, zeale, and love that I beare to the vnitie, wealth, and commoditie, aswell of my naturall countrey of Scotland as England, and for the dutie which I know myself to owe to the superior t̄ naturall Lord of Scotland, Edward the vjth, by the grace of God, of England ffrance and Irland King, defendo^r of the faith, and in erth vnder God the supreme

hed of the Churche of England & Irland, of my mere motion, will, and desire, without any contraynt or compulsion, do voluntarylie & frely confesse that I, for me and myne heires for euer, haue promised, & by theis presentf do promise to my said fouereyn lord the King of England, & his succeffours for euer, fealtie & homage, & do from this day forward become his liege man, to serue his Ma^{ty} & succeffours wth myn owne person, my servantf tenantf & frendf, to the best of my power faithfully and truly, & to lyve and dye in his Ma^{ty} service, as to his true subiect & liege man dothe apperteyne / ffrely and clerely renouncing, and by theis presentis I do renounce all other power magistrate roialtie or audoritie, what so euer it be, or herafter shalbe, to the said roiall Ma^{ty} of the King of England, to whome I haue addicted & given myself, contrarriant, or in any wise repugnant. In witnes whereof to theis presentis, I have subscribed my hand, & put to my seale.

Geuen at Westminster, the of August, in the year of our Lord M. v^o. xlix. And in the thrid yeir of the reigne of my said foueraigne Lord and Kyng, Edward the vjth.

[*Not Signed.*]

IV.

COVENANT^f OF TH'ERLE BOTHWELLES.

THAT the Erle Bothwell shold renounce the authorytye of Scotland, not confer counsell wth theyn, nor dysclose the counsell of the kyngf Ma^{ty} of England to enye of Scotland maynteynyng the Gouverno^rf parte, but be aydyng and affystyng to all suche lieutenantf, Capitaynes, and rulers, as the kyngf Ma^{ty} of England shuld send thither to pursue the most godly Vnyon of both the realmes, and hys Hyghnes tytyle and most iust quarell.

That the sayd Erle shoulde ayde the Kyngf Ma^{ty}, and hys lieutenant or generall Capytayne, wth 88 horse, to burne or invade Scotland, or suche

as shuld folow the Governo^r parte and quarell at all tymes, whan by hys hyghnes l^res or otherwyse by hys Ma^{ty} lieutenant or generall Capytayne he shuld be therto requyred.

That the sayde Erle shuld, before the (blank) daye of (blank), put into the Kyng^s hands thys howse of the Hermytage.

That the Kyng^s Ma^{ty} shuld ayde and affyste the sayde Erle Bothwell agaynst th^e authoritye of Scotland, and should defende hys howse of th^e Hermytage with such power as shulde be convenyent. And yf yt were lost, to recover yt agayne; and after (blank) yer^s, whether yt were recovered or kept, shuld restore yt to the said Erle agayn, or give hym in recompense as muche other lande in England, at his highnes pleasure.

That the Kyng^s Ma^{ty} shulde paye, or cause to be paide, to the saide Erle, for the mayntenaunce of the sayde enterpryses, a pen^con of (blank) Crownes by the yere.

(Indorsed)

MY L. BOTHWELL^s FEALTIE DONE TO KYNG

EDWARD THE SIXT, AND THE COVENANT^s

BETWENE THE KING AND HIM.

V.

CARTA PATRICII COMITIS BOTHEWELL, DE CONCESSIONE AD VITAM.

ANN. DOM. 1549.

EDWARDE THE SIXTE, &c. to all Persons to whom theis Presents shall come Greeting.

Whereas our right trusty and right welbeloved Cousen Patrike Erle of Bothwell hath acknowledged his Duty unto Us, his Naturall and Sovereigne Lorde and Kyng, Superiour Lorde of the Realme of Scotland, and hath renounced all Powers Potentats or Au^thoritie whatsoever it be, which

either nowe, or at any time hereafter shall be, contrariant or repugnant to Us and Our Auctoritie Imperiall, Soueraigne Dominion, and Rule over and uppon the Realme of Scotland, and the People of the same;

Know ye that We,

Of certein Knowlege and mere motion, by th'advise of our most entirely beloved Uncle Edwarde Duke of Somersett, Governour of our Person, and Protectour of our Realmes Dominions and Subjects, and the rest of our Privy Counsaill,

Have taken the said Erle Bothewell his Castells Towres Landes Tenements Rents, and all his Goods and Catalls, Men Servants and Reteynours into our Protection and Defence, to maynteigne and defende the same agaynst all People whosoever they be, as becommyth a Prince to defend his Liegeman and Subject, by all convenyent wayes and meanes apperteyneth,

And further, of certain Knowlege and mere motion, We, by th'advise forsaide, have geven and graunted, and by theis Presents do geve and graunte to the said Patrike Erle Bothewell one Annuite or yerely Rent of thre thousand Crownes, to be payd of the Treasourer of our Court of Augmentations and Revenues of our Crown, at two Termes of the Yere; that is to say, at the Feasts of Saint Michell th' Archaungell, and th' Annunciation of our Lady, by equal portions, during his Liff;

And further We, by th'advise aforesaid, are contented and pleased to pay the Wages of one hundred light Horsmen to serve under the said Erle, for the defence of his Person, and th'anoying of th' Enemy, according as the said Erle shall be appoynted by suche as shall have the Government of our Warrs in Scotland, for the better advancement of our Service ther;

And in case it shall so fortune that the said Erle, in well and truly serving Us, by force of th' Enemy be dryven from his said House, so that the same be defaced or kept from hym, that he may not come to it (which God forbid) We, by th'advise aforesaid, do promyse to ayde and affist the

faid Erle to the recovery of the same, as shall apperteigne; and if it shall fortune the faid Erle, by means of our Service to lose his faid House and his other Landes ther, above the space of thre Yeres, so that he can have nor take Proffit by them, then We promise, for our Self and our Successours, to gyve to the faid Erle and his Heirs for ever, Lands and Tenements within England to the yerely Rent and Value of all such Honours Castelles Seignories Lands Tenements Rentes Services and Meales, as from this Day forward the faid Erle shall lose by reason of our Service.

In witnes whereof, &c.

Witness Our Selfe at Westminster, the thirde Daye of September [1549.]

*Per Breve de Privato Sigillo.*¹

VI.

THIS AR THE ARTICLES THAT PATRIK ERLE BOITHUILE, GREIT ADMIRALL OF SCOTLAND, PROMISSIS TO BID AT AND DEBAIT WITH HIS BODY / That is to say, ane hundreth mē for ane hundreth men, or man for man, as the King of Frances Maieste will pleis cōmand him thairto.

In primis, that the Quenis grace, his auld maistres, for his continewale fuice done for the tyme, And for eschewing of sic inconvenient cūmeris that apperit to fall vpoun hir / Promest faithfullie, be hir hand writ, at twa findre tymis, to tak the faid Erle in mariage / Hir talking deliuerit to him thairupoun, And day assignit thairto, As hir writting^e obligato^re vnder hir hand writ mair fullie proportionis.

Secundlie, scho gaif to the faid Erle the Erledome of Fyff, during hir lifetyme, for seruice done, and to be done, As hir euidentis maid to him thairof proportionis.

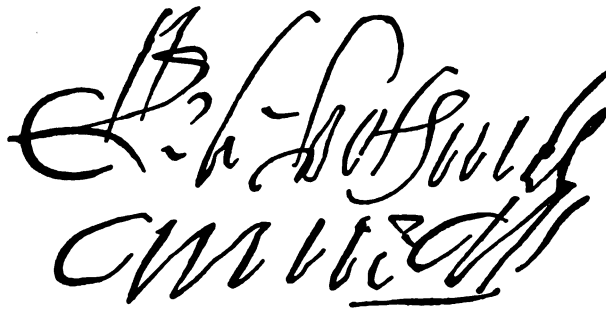
¹ Rymer's Foedera, vol. xv. p. 190.—Edit. tertia, 1741, vol. vi. pt. iii. p. 173.

Thridlie, scho gaif to the said Erle fre the Lordschip of Galloway, elike maner, induring hir lifetyme.

Ferdlie, scho gaif to the said Erle the Erledome of Orknay, during hir lifetyme, for payment, Reservand ane thousand m^k thairof, at the said Erles dispositioun, in feis, quhair he plefit.

Alfswa, scho is awand to the said Erle foure thowfand crownis, And gaif in command to the Ambassatour passand for the tyme to France To anss Maister Michell Balfour, feruitour to the said Erle, twa thowfand crownis, and incontinent thaireftir, fend the post w^t ane discharge.

The said Erle defyris thir Articlis to be representit vnto the King of Frances Maieste. And for verificatioun hereof, And clering of all promiss allegit maid be him to Ingland afore the day of the dait hereof, Offerris him tocū to France or Scotland / quhair it pleiffis the Kingis Maieste of France to appunet, To debait the famin with his body aganis all thaim will say in the contrair, That he nevir did afore the said day that might be prejudiciall to the Realme of Scotland / In witnes hereof, and for verificatioun of the premiffis, he hes Subscriuit thir presentis with his hand, At Armetage, the first day of Aprile, the 3ere of God ane thowfand five hundredreth fourty-nyne 3eris.



A handwritten signature in dark ink, appearing to read 'Patrick Earl of Bothwell' in a cursive script. Below the main signature, there is a smaller, more stylized signature or set of initials, possibly 'M. B.' or similar, also in cursive.

ADDITIONAL EXTRACTS RELATING TO THE EARLS OF BOTHWELL, &c.

(Continued from page 310).

28 Febr. 1508-9.—Continues the actioun movit betuix Sir Adam Hepburn of Cragis knicht, as assigney to vmquhill Patrik Erle Bothwell, to the ward of the lands of West Fortoune on the one part, and Elene Lady Dirltoun on the other part, &c.

(Mention is made of an Act "passit betuix the said umquhill Patrik Erle of Bothwell and the said Elene," at Edinburgh, 10 day of March 1506.)

(Acta Dom. Concilii, fol. 142^b.)

xij^o Merchii, Anno dni. J^mv^olij.

Indictione vndecima Pontm Pape Pauli [Julij] tercii anno quarto.

Personaliter constituta hono^{re} dñe. Agnes Comitisse de Bothuell omnibus melioribus modo via jure causa et forma quibus melius et efficacius de jure potuit et debuit potestive et debet fecit constituit crea^t noⁱavit et ordinavit veluti p^{ri}ntis pub^{li} Instru^{ti} tenore facit constituit creat noⁱat et ordinat hono^{re} virum et suum chari^{ss} sponsum Cuthbertum Ramsay Capitaneum de Crey^ttoun, suum verum lg^{it}m et indubitat. procuratorem actorem factorem et negotiorum inferius script. gestorem, &c.

Apud Castrum de Crey^ttoun, &c.

(Protocol Book of Thomas Steven, N.P.,

Haddington, 1548-1565, fol. 72.)

The xvij day off Februer, anno J^mv^oxxix 3eris, Paip Clement the vij the vij 3er, James the fyft the xvij 3er, Sir Robert Mudy chaplen past to a ryg of land, wyth the pertinens, lyand in the toun of Haidingtoun . . . and thair be erd and stane rasignit the said ryg . . . for heritabill stait and posseffioun, to be gyffyn to Patrik Hepburn, Maister of Haillis, and

Nicolace Howm, his spous, in conjunct fee, &c. Before thir witneß, Patrik Hepburn, son and aperand air to Patrik Hepburn, Maister Haillis, &c.

(Protocol Book of Alex^r Symfon,
Hadington, 1529–1544, fol. 11.)

The fyrst day off Juñ, the 3er of God J^mv^{xxxj} 3eir, Andro Mudy, act^{na} to Patrik Hepburñ, Maister of Haillis, ⁊ Nycolace Howme his spouse, ⁊ to Patrik Hepburn thair sone, past to the landis of Est Crag, liand wyⁱⁿ the sherefdom of Ed^r ⁊ constabullary of Haidington, ⁊ thar ane the ta half of the said landis pertenyng to Patrik Erll Boithwell, presentit a precep off feiffing of the said Erll Boithwellis, direct to Georg Thomsoñ off Gowrlawbankes, bailye in that part, for stait ⁊ feiffing of lyfrent corporall actuall ⁊ reall, of all ⁊ haill the said half of the forsaid landis of Est Crag, to be gyffyn to Patrik Hepburñ, Maister of Haillis, ⁊ Nycolace Hume, his spous, ⁊ to Patrik Hepburn, thair sone, ⁊ the langer leiffer of thaim thré in lyf rent; the quhilk possessioun, the said George Thomsoñ, at command of the said precep, gaif be erd ⁊ stane to Andro Mudy, procurato^r ⁊ act^{na} to the said Patrik Hepburñ, Maister of Haillis, ⁊ Nicolace Howm his spouse, ⁊ Patrik Hepburñ, thair sone, the langer leivar of thaim thré in lyf rent, ⁊ efter the tenor of the chart^r maid to thaim thairupone. And this wes done at x howris asornoone or thairby, on the said grownd, befor thir witnes, Wylzem Hepburñ of the tother part of the Crag, Johne Tait, Lowrens Cokburñ, Georg Cristifon, Wylzem Cuthbert, Jhone Henryson, Jhone Schirwyn, and Schir Thomas Rychartsoñ chaiplen, wy^t otheris diuers^t.
(Ib. fol. 23.)

3 Nov^r 1539.—Tertio Nouembris Anno Dñi. millesimo quingentesimo trigesimo nono, Indiétione 13^a Pon^t Pauli Tertij anno sexto.—The quhilk day, Patrik Hepburn, sone and apperand air till Patrik Hepburn, ~~Maister of Halye~~, of Boltoun, past till the Town of Quhytynghaim, till twa husband landis, with thair pertinens, pertenyng heretablie till ane my^v

lord, Patrik Erll Bothwell, Lord Halis and Creichtoun, callit Mowifs landis, lyand, &c.: (and obtained heretable state and possession of the said lands, in virtue of a charter of the Earl, expressing "quia vendidimus et hereditarie alienauimus dilecto nostro Patricio Hepburn filio et heredi apparen. Patricii Hepburn de Boltoun," &c., dated at Aberdeen, 18 Oct. 1539.)

(Protocol Book of Alex^r Symfon, N.P.,
1539-1542, fol. 20.¹)

12 *February* 1539-40.—The quhilk day, Patrik Hepburn Maister of Halys, comperit vpon the landis of Boltoun vpoun the grownd quhar the Court wes haldyn in ʔ tuechyng ane diuision ʔ partition to haue bene maid of the saidis landis the day forsaid; the said Patrik comperand, as said is ʔ thair abidand quhill tyme of court wes paffit, na Juge comperand nor vther memberis of court nor party / And thairthrouch na Court being fenfit nor haldyn the said day, the said Patrik protestit for desertion of the said Court affixt to this day, ʔ that na farther proces be led in the said mater ʔ breue of diuisioun quhill new lauchfull warnyng to thaim ʔ all quham efferis / protestand gif ony thing be done in the contrar, It be wilfull wrang ʔ turne thaim to na prejudice ʔ for remeid of law.

(Ib. fol. 33.)

Decimo quarto Februarii Anno xxxix^o [1539-40], Indictione 13^a Pont⁹ Pauli Pape Tertij anno 6^o.—The quhilk day Patrik Hepburn, sone ʔ apperand air to Patrik Hepburn Maister of Halys, cessionar and assignay in ʔ to the redemyng of the landis of Peilwanis, lyand within the sherefdome of Berwyk, warnit James Rowll to compeir in the College kyrk of Dunbar the xij day of Maij nixtocum to refraue his monye, viz. iij^{xxvj} lib. xiiij^s [iij^d] vpon the hie altar, for the redemptioun of the saidis landis of Peilwanis,

¹ In the *Tabula* of this volume, the name of Patrick Hepburn, Master of Halys, occurs frequently in the contents of the leaves numbered between 34 and 82, which unfortunately are not contained in the volume.

after the tenour of his reuerfion maid be the faid Jamis predeceffouris to the predeceffouris of Patrik Erll Bothwell defuper Instrum. Acta apud domum habitationis Magiftri de Halys hora tertia poft meridiem teftibus W^{mo} Downaldfone, Alex^o Boltone, ⁊ Thoma San&fhone.

(Ib. fol. 34.)

Quarto Junij Anno dñi Millefimo quingentefimo quadrefimo primo Indictione decima quarta Pont⁹ Pauli Pape 3^{tu} anno 7^{mo}.—The quhilk day William Strauquhane, Sheref in that part paft to the landis of Kello, liand within the Sherefdom of Beruik, and thare Johne Sommerwaill, pro^{uor} ⁊ atturna to ane honorable man Patrik Hepburne of Boltoun, and Patrik Hepburne his fone ⁊ apperand air perfonaly prefent, prefentit ⁊ deliuerit to the faid Sheref in that part, ane precept of fefing vnder the felis of George Lord Howme, Alex^r Howme fear of the landis ⁊ lordfchip of Howme ⁊ Dirletoun, Maifteris James Fowlis ⁊ Abrahame Creichtoun, the faid Alexanderis curatouris ⁊ thair fubfcription manuale, quhais tennour efter followis: ALEX^s HOWME filius primogenitus legitime procreatus inter nobilem dñm Georgium Dominum Howme et nobilem dominam Mariotam Haliburtoun filiam et vnam heredum quondam Patricii Domini de Dirltone, &c. Quia cum confenfu et affenfu dicti chariffimi patris mei et legitimi administratoris ac cum confenfu venerabilium virorum Magiftri Jacobi Fowlis de Colintown Clerici regiftri rotulorum ac Concilii Supremi Dñj nñi Regis et Mag^{ri} Abrahame Chrechtoun rectoris de Ohirnsfyde curatorum meorum ad fubfcripta conceffi vendidi et alienaui honorabili viro Patricio Hepburñ Mag^{ro} de Halys in vitali redditu pro toto tempore vite fue et predilecto confanguineo meo Patricio Hepburñ ejus filio et apparenti heredi hereditarie Totam et integram meam manfionem fue manerium de Boltoun cum mea tertia parte omnium et fingularum terrarum et baronie de Boltoun ac tertia parte molendini ejusdem cum tenentibus tenandriis et libereteneñ. ferciis earund. cum fuis pertinen. jacen. in confta^{ra} de Haidingtoun infra vicecomitatum de Ed^r Et in speciale

warrantum earund. dedi et concessi totas et integras terras meas de Kello cum suis pertinen. jacen. infra vicecomitatum de Beruik Tenend. de supremo Dño nro Rege, &c. Vobis igitur, &c. Apud Ed^r duodecimo die mensis Augusti Anno Domini millesimo quingentesimo trigesimo sexto, etc. **ETRES** quhais tenour the said William Strauquhane, Sheref and baillie forsaid, be deliuering of erd and stane, gaif heritable sefing of the saidis landis of Kello, with their pertinence and varrandis of the forsaidis landis of Boltoun, to John Symmervail, atturna for the said Patrik Hepburne elder, and to the said Patrik Hepburne zounger, than personaly present, At the said town of Kello at four efternone or thairby. Testibus, &c.

(Ib. fol. 103.)

18 *June* 1541.—The quhilk day, William Charles, seruand to Agnes Cowntes of Bothwell, in name and behalf of the said Countes, grantit him to haue reffaut fra Schir Patrik Sinclair, bruther-germane to Schir Johne Synclair, the sowe of sax markis and ane half, gud and vsuale mony of Scotland, for the annwell of the thrid of the landis of Morem of the Vitson-day terme last bypast, And dischargis the said Johne thairof, in name and behalf forsaid.

(Ib. fol. 104.)

19th *July* 1541.—The quhilk day, Patrik Hepburne, sone and apperand air to Patrik Hepburne of Boltoun, Sheref-deput of Edinburgh within the Constabulary of Haidingtoun, at desir and requeist of ane honorable man, John Bog, past to the landis of Lochend, &c., and there the said Johne Bog presentit and deliverit to the said Sheref-deput our Souerane Lordis precept, sub testimonio Magni Sigilli, &c. **ETRES** quhais tenour the said Patrik Hepburne gave heretable stait and sefing of the said landis of Lochend to the said Johne Bog, &c. (in recompense, as it is expresse, for his faithful service, more especially during the time of the King's residence

in France ; the said royal precept under the Great Seal, dated at Stirling, 6th March, A. R. 28, 1540-41.)

(Ib. fol. 106.)

Penultimo Septembris Anno Dom. 1541.—The quhilk day PATRIK HEPBURNE, sone and air apperand to Patrik Hepburne of Boltoun, grantit that INCAIS HE BE AIR TO MY LORD BOTHWILLE, he nor his airis fall neuer louse nor redeme the landis of Peilwallis fra James Rowll nor his airis, sua beand the said James keip t fulfill the pounctis of the contract maid betuix thaim defuper Inferm.

The said Patrik grantit him to haue refianit fra James Rowll the sowe of tua hundreth merkis efter the tennour of ane Contract maid betuix thaim : Acta in camera Bartholomei Manderstone in Dunbar hora quinta testibus dict. Bartholomeo Manderstone, Jo. Craw et Roberto Rowll cum diversis.

(Ib. fol. 112.)

Quinto die mensis Aprilis Anno Dni. 1544.—Personaliter accessit hono^m vir Patricius Hepburfi de Boltoun ad principalem mansionem dimedietatis de Eftcrag subscript. Jacen. infra vic. de Ed^r. et consta^m de Haidingtoun Et ibidem quoddam saifine preceptum pergamino scriptum per nobilem et potentem dñm Patricium Comitem de Boithuile Dñm Halys ꝑc. confectum eiusdem vero sigillo et subscript. manuali munitam hono^m viro Johanni Tait in Vffer Boltoun balliuo in hac parte et in huiusmodi saifine precepto specialiter inserto presentavit exhibuit et deliberavit eund. requiren. pro debita executione eiusdem fienda Qui vero Balliuus in hac parte huiõ saifine preceptum omni reuerentia qua decuit ad manus recepit et mihi notario publico subscripto perlegendum et publicandum tradidit Cuius tenor sequitur et est talis ; PATRICIUS COMES DE BOITHUILE Dñs Halys. et Creichtoun ꝑc. dilectis nostris Johannem Tait ac eorum cuilibet conjunctim et diuifim balliuis nostris in hac parte specialiter constitutis salutem Quia pro singularibus fauore et amore quos habemus erga dilectum NOSTRUM PATRUM

Patricium Hepburñ de Boltoun et pro suo fideli et gratuito seruicio nobis hæcenus multipliciter impensio et impendendo dedimus et concessimus hereditarie præfato Patricio Hepburñ et heredibus masculis de corpore suo legitime procreatis seu procreandis quibus deficien. nobis et heredibus seu successoribus nostris plenarie reuertent. totam et integram nostram dimedietatem omnium et singularum terrarum de Eistcrag cum suis pertinen. . . . In cujus rei testimonium sigillum nostrum presentibus est appensum una cum nostra subscriptione manuali Apud Edinburgh primo die mensis Aprilis Anno Dñj. 1544. Bæ verteu of the quhilk precept the forsaide baillie gaif heretable stait t̃ seifing of all t̃ haill that ane half of all t̃ fyndry the saidis landis of Eist Crag with the pertinenes efter the tenour of the said precept t̃ chartour maid thairupoun at viij houris afoir none Vitnes V^m Hepburn of Eist Crag, Jo. Robisoun, Jo. Brak, t̃ Jo. Craufurd, v^t vther diuersis.

(Protocol Book of Alex^r Symfon, N.P.

1542-1544, fol. 83.)

19 April 1544.—The quhilk day / Johne Maitland acturna specialie constitut till ane honorable man Richart Maitland of Lethingtoñ past to the principale mansioun of the tua husband landis callit Rowestonis landis lyand within the toun and territorie of Ballincreif within the constabulary of Haidyntoun and sheresdom of Edinburgh, and thair presentit and deliuerit till Patrik Hepburñ of Boltoun ane precept of seifing vnder the testimonye of the greit feill of the Chancellary, &c. . . . Bæ verteu of the quhilk precept the said Patrik Hepburn of Boltoun, Sheref deput forsaide, gaif t̃ deliuerit heretable stait t̃ seifing, &c.

(Ib. fol. 88.)

6 June 1544.—The quhilk day William Lowrie in Munkrig of his avn fre will vncompellit, and for certane sowmes of monye to be payit till him, maid constitut and ordanit Patrik Hepburñ, sone and air apperand to Patrik Hepburñ of Boltoun, t̃ his airis, his cessionaris t̃ assignais in t̃ to

all his ry^t kyndeneß that he hes or ony maner of way in ⁊ to his part of the landis of Munkrig Efter, lyand wⁱⁿ the constabulary of Haidington, ⁊ tranfferrit the samyn in the said Patrik ⁊ his airis, quhairupoun Adam Hoppringill his fervand askit instrumentis. This wes done in the said W^m house in Efter Munkrig at xij houris of none befor thir vitnes, William Leirmon^t, William Brovn, ⁊ James Murray, w^t vther diuerse.

25th May 1558.—Eodem die, ane honorable man, Patrick Hepburn of Bolton, alias M^r of Halis, refugit and upgaif, be eird and stane, all and haill his tenement of land, &c., on the North fyde of the Bur^t of Haddingtoun.

(Protocol Book, Tho^s Stevin, N.P.)

CAUTION.—AGNES SINCLAIR.

Apud Leith, xxvj die mensis Decembris, Anno Doñ., etc., lxxj.

The quhilk day, in prefence of my Lord Lieutenant and Lordes of Secret Counsele present with Henry Lord Sinclair, become actit cautioner and fourtie for Agnes Sinclair, relict of umquhill Patrik Erle Boithuile, That the said Agnes fall compeir personallie befor my Lord Regentis grace, and Lordis of Secrete Counsell, or the said Lieutennent, as she shalbe chargeit thairto personallie, or at hir dwelling-place, vpoun sex dayis warning, vnder the pane of ane thousand pundis, And siclike, that she in the meyntyme fall nawyse reffett, supplie, nor intercommoun with William Hepburne, bastard sone to James, sumtyme Erle Boithuile, (blank) Ormisloun sumtyme of that ilk, nor nane vtheris our Soverane Lordis declarit traitouris, notorious rebellis, and conspiratouris aganis his Maiestie, vnder quhatsumevir cullour or pretenß, vnder the paine foirfaid.

Sic subscribitur,

HENRY LORD SINCLAIR.

(Reg. Secreti Concilii, p. 51.)

**THE RETOUR
AND ROYAL WARRANT OF TAXATION
OF THE LANDS IN THE SHERIFFDOM
OF EDINBURGH.**

M.CCCC.LXXIX.

VOL. III.

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EXTENTUS VICECOMITATUS DE EDINBURGH.

26 MARTII 1479.¹—*Sowmyt et examyt.*

THE xxvj day of the moneth of Merch the 3ere of God a Thoufand four hundredreth feventy and nyne 3eris, I JHONE OF HALDANE, Scheref of Edinburgh, at the bidding and command of our Souerane Lordis letters, paffit to the Tolbuth of the famyn, and thar with the counfal of ane noble and michtj lord, Willame Lord Borthuik, Schir Willame of Knollis, preceptour of Torfeching, Schir Jhone Sandelandis of Calder knyght, and Schir James Lederdal, quhilkis was chosing to be of counfail to me in our Souerane Lordis Parliament haldin at Edinburgh the forfaid moneth of Merch, In the taxation and chefing of ane Inqueft for the famyn, quhilk this day we chefit ane Inqueft, And fand the landis within the fcheref dome of Edinburgh of this mekill walour of ald Extent. And for the mair verificacioun, we the faid counfail, that is to fay, Willame, Willame, Jhone, and James, hes fet to our Selis, And we the faid Scheref has clofit this writ, and fet to our Selis abone, with the awice and ordaris of the faid Inqueft.

In the fyrft the Baronry of Weft Calder foure fchore of pundis and thre.

Item the baronry of Eft Calder, xl pund.

¹ This interesting document is probably one of the earliest Taxation Rolls known to be preserved. The original is in the possession of the Editor. The Warrant is signed by the King, James the Third, and William Schevez, Archbishop of St Andrews. In the Parliament held on the 6th of March 1478-9, the Three Estates granted to the King a subsidy of 20,000 marks, for concluding the intended marriage between the Princess Margaret, sister of James the Third, and Anthony Earl of Rivers, brother-in-law to Edward the Fourth. This Taxation was no doubt connected with that subsidy; but the interest of the document consists in the names and relative value of the chief properties in the County of Edinburgh at so early a period. No great difficulty will be found in recognising most of the names.

The Baronry of Ratho.

Bonitoun,	.	.	.	.	.	x pund.
Haltoun,	.	.	.	.	.	x pund.
The Plat,	.	.	.	.	.	v pund.
Nortoun,	.	.	.	.	.	x pund.
The West Hail, and the North Raw,	.	.	.	.	.	v pund.
Ouer Gogar,	.	.	.	.	.	xij fi vj ^s viij ^d .

The tother fid of Ratho.

In the fyrst, Montethis land,	.	.	.	.	.	x pundis.
Warcstoun,	.	.	.	.	.	v pund.
Becartoun,	.	.	.	.	.	x pund.
Demmynsdail,	.	.	.	.	.	x schillingis.
Macastoun,	.	.	.	.	.	iiij merkis.
The Quhit Law,	.	.	.	.	.	iiij merkis.
Letill Curry,	.	.	.	.	.	j merk.
Gorgy,	.	.	.	.	.	x pund.
The Spetil toun,	.	.	.	.	.	iiij merkis.

The haill Baronry of Baulernoct.

In the fyrst, Humby,	.	.	.	.	.	iiij merkis.
Eft Notoun and Ouer Notoun, Ormiftoun hill, and						
Wester Notoun,	.	.	.	.	.	xvj pund.
The tua Terfis,	.	.	.	.	.	v pund, and the thrid in the Kingis hand.
Letoun and Leith heid,	.	.	.	.	.	a hundreth schillingis.
Cokburn,	.	.	.	.	.	vj pund.
Baulernoct,	.	.	.	.	.	vij fi xij ^s iiij ^d .
Rawelek,	.	.	.	.	.	v merkis.
Harlaw,	.	.	.	.	.	iiij merkis.
Pilmore,	.	.	.	.	.	v pund.
Bauleny,	.	.	.	.	.	xl s.

Damhow baronry within the self,	. . . . .	xx li.
The baronry of Curry, with Hyrdmertsoun, and the Redhewis,	. . . . .	xxvj li xiiij ^s iiij ^d .
Kilbawbertoun,	. . . . .	xl s.
Balay,	. . . . .	v pund.
The baronry of the Red Hail,	. . . . .	iiij ^s vj li xiiij ^s iiij ^d .
Cragglocart,	. . . . .	viiij li.
The baronry of Braid,	. . . . .	x pund.
Marcanisfoun,	. . . . .	ij pund.
The Wreicthifhous,	. . . . .	ij pund.
Broniffeld,	. . . . .	ij pund.
The Prestes feld Sanct Gely grangis,	. . . . .	iiij pund.
Neder Gogar,	. . . . .	x pund.
Corstorfing, Medofeld, Nether Libertoun, Clerkin- toun, Drylaw, Farlyhop,	. . . . .	thre schore of pundis.
All Lany,	. . . . .	x pund.
Crawmond,	. . . . .	x pund.
Bernetoun,	. . . . .	x pund.
Llorestoun,	. . . . .	v merkis.
The Morehous,	. . . . .	v pund.
Piltoun,	. . . . .	iiij pund.
Innerleth, Weltoun, Daulry, and the Crag,	. . . . .	xx li.
The Putry land,	. . . . .	j merk.
The baronry of Restalrig, with Mont Lothian, and Leith,	. . . . .	xl pund.
Letil Nudry,	. . . . .	x merkis.
Gilbertoun,	. . . . .	v merkis.
Gilmertoun,	. . . . .	x pund.
Logtoun,	. . . . .	x merkis.
Ouer Libertoun,	. . . . .	v pund.
Stratoun and Stratoun Hal,	. . . . .	x pund.

Mortoun and Mortoun Hail,	.	.	.	x pund.
Pentland More,	.	.	.	x pund.
Pentland,	.	.	.	xx pund.
Coffland,	.	.	.	xx pund.
Ruffilling baronry,	.	.	.	x pund.
Twa Ravinfnokis,	.	.	.	iiij pund.
The Carnehill,	.	.	.	x schillingis.
Catevin,	.	.	.	v merkis.
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Ouer Cranftoun,	.	.	.	x merkis.
Neder Cranftoun,	.	.	.	x pund.
The New Haw,	.	.	.	xl schillingis.

(Mark of two seals.)

S^m to^t ix^cxxviiij ti xiiij^a iiij^d tenet.

Rex.

SCHIREFE, We charge you straitly and commandis that eftir the tennour of this Retour ye Raifs as for the first payment of taxt twa schillingis of ilk pundis worth of Land contenit in the sammyn Retoure, except the landis being in our handis, and the landis mortifit to the Kirk, and Inbring the sammyn in all possible haift ye ma, and deliuer It to oure Thesaurar, the quhilk on nawis ye lese vndone vnder all pane and charge that efter ma folow, gevin vnder oure Signet At Edinburghe the xvij day of August, and of oure Regne the xx zere, etc.

(Mark of seal.)

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